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Legislative History – Montana Session Law

Chapter: 436 Session L: 2003

Bill Number: HB 441

Checklist of Bill History

- History and Final Status Sheet ☑
- Introduced Bill ☑
- Fiscal Note ☑
- Third Reading Bill ☑
- Final Version of Bill ☑

House	Senate
Committee: Local Government	Committee: Taxation
Hearing Date(s): 2/11/2003	Hearing Date(s): 3/18/2003
Committee Report: 2/21/2003	Committee Report: 3/19/2003

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: S.K. Marshall

Date: 11/19/2024

Notes:

Thank you!

AN ACT PROVIDING FOR THE PRORATION OF PROPERTY TAXES ON CENTRALLY ASSESSED PROPERTY WHEN LAND IS SUBDIVIDED; AND AMENDING SECTIONS 15-16-102 AND 76-3-207, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 15-16-102, MCA, is amended to read:

"15-16-102. Time for payment -- penalty for delinquency. Unless suspended or canceled under the provisions of Title 15, chapter 24, part 17, all taxes levied and assessed in the state of Montana, except assessments made for special improvements in cities and towns payable under 15-16-103, are payable as follows:

(1) One-half of the taxes are payable on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, and one-half are payable on or before 5 p.m. on May 31 of each year.

(2) Unless one-half of the taxes are paid on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, the amount payable is delinquent and draws interest at the rate of 5/6 of 1% a month from and after the delinquency until paid and 2% must be added to the delinquent taxes as a penalty.

(3) All taxes due and not paid on or before 5 p.m. on May 31 of each year are delinquent and draw interest at the rate of 5/6 of 1% a month from and after the delinquency until paid, and 2% must be added to the delinquent taxes as a penalty.

(4) (a) If the date on which taxes are due falls on a holiday or Saturday, taxes may be paid without penalty or interest on or before 5 p.m. of the next business day in accordance with 1-1-307.

(b) If taxes on property qualifying under the low-income property tax assistance provisions of 15-6-134(1)(c) and 15-6-191 are paid within 20 calendar days of the date on which the taxes are due, the taxes may be paid without penalty or interest. If a tax payment is made later than 20 days after the taxes were due, the penalty must be paid and interest accrues from the date on which the taxes were due.

(5) A taxpayer may pay current year taxes without paying delinquent taxes. The county treasurer shall accept a partial payment equal to the delinquent taxes, including penalty and interest, for one or more full taxable

years, provided that taxes for both halves of the current tax year have been paid. Payment of taxes for delinquent taxes must be applied to the taxes that have been delinquent the longest. The payment of taxes for the current tax year is not a redemption of the property tax lien for any delinquent tax year.

(6) The penalty and interest on delinquent assessment payments for specific parcels of land may be waived by resolution of the city council. A copy of the resolution must be certified to the county treasurer.

(7) If the department revises an assessment that results in an additional tax of $5 or less, an additional tax is not owed and a new tax bill does not need to be prepared.

(8) The county treasurer may accept a partial payment of centrally assessed property taxes as provided in 76-3-207."

Section 2. Section 76-3-207, MCA, is amended to read:

"76-3-207. Subdivisions exempted from review but subject to survey requirements -- exceptions. (1) Except as provided in subsection (2), unless the method of disposition is adopted for the purpose of evading this chapter, the following divisions of land are not subdivisions under this chapter but are subject to the surveying requirements of 76-3-401 for divisions of land not amounting to subdivisions:

(a) divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties;

(b) divisions made outside of platted subdivisions for the purpose of a single gift or sale in each county to each member of the landowner's immediate family;

(c) divisions made outside of platted subdivisions by gift, sale, or agreement to buy and sell in which the parties to the transaction enter a covenant running with the land and revocable only by mutual consent of the governing body and the property owner that the divided land will be used exclusively for agricultural purposes;

(d) for five or fewer lots within a platted subdivision, relocation of common boundaries and the aggregation of lots; and

(e) divisions made for the purpose of relocating a common boundary line between a single lot within a platted subdivision and adjoining land outside a platted subdivision. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas.

(2) Notwithstanding the provisions of subsection (1):

(a) within a platted subdivision filed with the county clerk and recorder, a division of lots that results in an increase in the number of lots or ~~which~~ that redesigns or rearranges six or more lots must be reviewed and

approved by the governing body and an amended plat must be filed with the county clerk and recorder;

(b) a change in use of the land exempted under subsection (1)(c) for anything other than agricultural purposes subjects the division to the provisions of this chapter.

(3) (a) ~~A~~ Subject to subsection (3)(b), a division of land may not be made under this section unless the county treasurer has certified that all real property taxes and special assessments assessed and levied on the land to be divided have been paid.

(b) (i) If a division of land includes centrally assessed property and the property taxes applicable to the division of land are not specifically identified in the tax assessment, the department of revenue shall prorate the taxes applicable to the land being divided on a reasonable basis. The owner of the centrally assessed property shall ensure that the prorated real property taxes and special assessments are paid on the land being sold, before the division of land is made.

(ii) The county treasurer may accept the amount of the tax prorated pursuant to this subsection (3)(b) as a partial payment of the total tax that is due."

- END -

I hereby certify that the within bill,
HB 0441, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2019.

President of the Senate

Signed this _____ day
of _____, 2019.

HOUSE BILL NO. 441

INTRODUCED BY CYR, BLACK, BOHLINGER, DEPRATU, DOWELL, ERICKSON, FORRESTER, HARRINGTON, LASLOVICH, A. OLSON, B. OLSON, TESTER, WANZENRIED, FISHER, MCGEE, NEWMAN

AN ACT PROVIDING FOR THE PRORATION OF PROPERTY TAXES ON CENTRALLY ASSESSED PROPERTY WHEN LAND IS SUBDIVIDED; AND AMENDING SECTIONS 15-16-102 AND 76-3-207, MCA.

Exported Data

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
04/22/03	Chapter Number Assigned				
04/22/03	(H) Signed by Governor				
04/17/03	(H) Transmitted to Governor				
04/16/03	(S) Signed by President				
04/16/03	(H) Signed by Speaker				
04/16/03	(C) Printed - New Version Available				
04/16/03	(H) Returned from Enrolling				
04/16/03	(C) Printed - New Version Available				
04/16/03	(H) Sent to Enrolling				
04/15/03	(S) Returned to House Concurred in Governor's Proposed Amendments				
04/15/03	(S) 3rd Reading Governor's Proposed Amendments Adopted		50	0	
04/15/03	(S) Scheduled for 3rd Reading				
04/14/03	(S) 2nd Reading Governor's Proposed Amendments Adopted on Voice Vote		50	0	
04/14/03	(S) Scheduled for 2nd Reading				
04/11/03	(H) Transmitted to Senate for Consideration of Governor's Proposed Amendments				
04/11/03	(H) 3rd Reading Governor's Proposed Amendments Adopted		93	4	
04/11/03	(H) Scheduled for 3rd Reading				
04/10/03	(H) 2nd Reading Governor's Proposed Amendments Adopted		99	0	
04/10/03	(H) Scheduled for 2nd Reading				
04/07/03	(H) Returned with Governor's Proposed Amendments				
03/31/03	(H) Transmitted to Governor				
03/28/03	(S) Signed by President				
03/27/03	(H) Signed by Speaker				
03/27/03	(H) Returned from Enrolling				
03/27/03	(C) Printed - New Version Available				
03/25/03	(H) Sent to Enrolling				
03/24/03	(S) Returned to House				
03/24/03	(S) 3rd Reading Concurred		48	0	
03/24/03	(S) Scheduled for 3rd Reading				
03/22/03	(S) 2nd Reading Concurred on Voice Vote		45	0	

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
03/22/03	(S) Scheduled for 2nd Reading				
03/19/03	(S) Committee Report--Bill Concurred	(S) Taxation			
03/19/03	(S) Committee Executive Action--Bill Concurred	(S) Taxation	11	0	
03/18/03	(S) Hearing	(S) Taxation			
02/26/03	(S) Referred to Committee	(S) Taxation			
02/26/03	(S) First Reading				
02/25/03	(H) Transmitted to Senate				
02/25/03	(H) 3rd Reading Passed		97	3	
02/25/03	(H) Scheduled for 3rd Reading				
02/24/03	(H) Placed on Consent Calendar				
02/21/03	(C) Printed - New Version Available				
02/21/03	(H) Committee Report--Bill Passed as Amended	(H) Local Government			
02/21/03	(H) Committee Executive Action--Bill Passed as Amended	(H) Local Government	16	0	
02/11/03	(H) Hearing	(H) Local Government			
01/25/03	(C) Introduced Bill Text Available Electronically				
01/25/03	(H) Referred to Committee	(H) Local Government			
01/25/03	(H) First Reading				
01/25/03	(H) Introduced				
01/22/03	(C) Draft Delivered to Requester				
01/21/03	(C) Draft Ready for Delivery				
01/20/03	(C) Draft in Assembly/Executive Director Review				
01/20/03	(C) Draft in Final Drafter Review				
01/20/03	(C) Draft in Input/Proofing				
01/20/03	(C) Bill Draft Text Available Electronically				
01/18/03	(C) Draft to Drafter - Edit Review				
01/18/03	(C) Draft in Edit				
01/17/03	(C) Draft in Legal Review				
01/13/03	(C) Draft to Requester for Review				
11/26/02	(C) Draft Request Received				

HOUSE BILL NO. 441

INTRODUCED BY L. CYR

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE PRORATION OF PROPERTY TAXES ON CENTRALLY ASSESSED PROPERTY WHEN LAND IS SUBDIVIDED; AND AMENDING SECTION 76-3-207, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 76-3-207, MCA, is amended to read:

"76-3-207. Subdivisions exempted from review but subject to survey requirements -- exceptions. (1) Except as provided in subsection (2), unless the method of disposition is adopted for the purpose of evading this chapter, the following divisions of land are not subdivisions under this chapter but are subject to the surveying requirements of 76-3-401 for divisions of land not amounting to subdivisions:

(a) divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties;

(b) divisions made outside of platted subdivisions for the purpose of a single gift or sale in each county to each member of the landowner's immediate family;

(c) divisions made outside of platted subdivisions by gift, sale, or agreement to buy and sell in which the parties to the transaction enter a covenant running with the land and revocable only by mutual consent of the governing body and the property owner that the divided land will be used exclusively for agricultural purposes;

(d) for five or fewer lots within a platted subdivision, relocation of common boundaries and the aggregation of lots; and

(e) divisions made for the purpose of relocating a common boundary line between a single lot within a platted subdivision and adjoining land outside a platted subdivision. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas.

(2) Notwithstanding the provisions of subsection (1):

(a) within a platted subdivision filed with the county clerk and recorder, a division of lots that results in an increase in the number of lots or ~~which~~ that redesigns or rearranges six or more lots must be reviewed and approved by the governing body and an amended plat must be filed with the county clerk and recorder;

(b) a change in use of the land exempted under subsection (1)(c) for anything other than agricultural

purposes subjects the division to the provisions of this chapter.

(3) (a) ~~A~~ Subject to subsection (3)(b), a division of land may not be made under this section unless the county treasurer has certified that all real property taxes and special assessments assessed and levied on the land to be divided have been paid.

(b) If a division of land includes centrally assessed property and the property taxes applicable to the division of land are not specifically identified in the tax assessment, the department of revenue shall prorate the taxes applicable to the land being divided on a reasonable basis."

- END -

HOUSE BILL NO. 441

INTRODUCED BY CYR, BLACK, BOHLINGER, DEPRATU, DOWELL, ERICKSON, FORRESTER, HARRINGTON, LASLOVICH, A. OLSON, B. OLSON, TESTER, WANZENRIED, FISHER, MCGEE, NEWMAN

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE PRORATION OF PROPERTY TAXES ON CENTRALLY ASSESSED PROPERTY WHEN LAND IS SUBDIVIDED; AND AMENDING ~~SECTION~~ SECTIONS 15-16-102 AND 76-3-207, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

SECTION 1. SECTION 15-16-102, MCA, IS AMENDED TO READ:

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(1) One-half of the taxes are payable on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, and one-half are payable on or before 5 p.m. on May 31 of each year.

(2) Unless one-half of the taxes are paid on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, the amount payable is delinquent and draws interest at the rate of 5/6 of 1% a month from and after the delinquency until paid and 2% must be added to the delinquent taxes as a penalty.

(3) All taxes due and not paid on or before 5 p.m. on May 31 of each year are delinquent and draw interest at the rate of 5/6 of 1% a month from and after the delinquency until paid, and 2% must be added to the delinquent taxes as a penalty.

(4) (a) If the date on which taxes are due falls on a holiday or Saturday, taxes may be paid without penalty or interest on or before 5 p.m. of the next business day in accordance with 1-1-307.

(b) If taxes on property qualifying under the low-income property tax assistance provisions of 15-6-134(1)(c) and 15-6-191 are paid within 20 calendar days of the date on which the taxes are due, the taxes may be paid without penalty or interest. If a tax payment is made later than 20 days after the taxes were due, the

penalty must be paid and interest accrues from the date on which the taxes were due.

(5) A taxpayer may pay current year taxes without paying delinquent taxes. The county treasurer shall accept a partial payment equal to the delinquent taxes, including penalty and interest, for one or more full taxable years, provided that taxes for both halves of the current tax year have been paid. Payment of taxes for delinquent taxes must be applied to the taxes that have been delinquent the longest. The payment of taxes for the current tax year is not a redemption of the property tax lien for any delinquent tax year.

(6) The penalty and interest on delinquent assessment payments for specific parcels of land may be waived by resolution of the city council. A copy of the resolution must be certified to the county treasurer.

(7) If the department revises an assessment that results in an additional tax of $5 or less, an additional tax is not owed and a new tax bill does not need to be prepared.

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(2) Notwithstanding the provisions of subsection (1):

(a) within a platted subdivision filed with the county clerk and recorder, a division of lots that results in an increase in the number of lots or ~~which~~ that redesigns or rearranges six or more lots must be reviewed and approved by the governing body and an amended plat must be filed with the county clerk and recorder;

(b) a change in use of the land exempted under subsection (1)(c) for anything other than agricultural purposes subjects the division to the provisions of this chapter.

(3) (a) ~~A~~ Subject to subsection (3)(b), a division of land may not be made under this section unless the county treasurer has certified that all real property taxes and special assessments assessed and levied on the land to be divided have been paid.

(b) (I) If a division of land includes centrally assessed property and the property taxes applicable to the division of land are not specifically identified in the tax assessment, the department of revenue shall prorate the taxes applicable to the land being divided on a reasonable basis.

(II) THE COUNTY TREASURER MAY ACCEPT THE AMOUNT OF THE TAX PRORATED PURSUANT TO THIS SUBSECTION (3)(B) AS A PARTIAL PAYMENT OF THE TOTAL TAX THAT IS DUE."

- END -

HOUSE BILL NO. 441

INTRODUCED BY CYR, BLACK, BOHLINGER, DEPRATU, DOWELL, ERICKSON, FORRESTER, HARRINGTON, LASLOVICH, A. OLSON, B. OLSON, TESTER, WANZENRIED, FISHER, MCGEE, NEWMAN

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penalty must be paid and interest accrues from the date on which the taxes were due.

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(b) a change in use of the land exempted under subsection (1)(c) for anything other than agricultural purposes subjects the division to the provisions of this chapter.

(3) (a) ~~A~~ Subject to subsection (3)(b), a division of land may not be made under this section unless the county treasurer has certified that all real property taxes and special assessments assessed and levied on the land to be divided have been paid.

(b) (I) If a division of land includes centrally assessed property and the property taxes applicable to the division of land are not specifically identified in the tax assessment, the department of revenue shall prorate the taxes applicable to the land being divided on a reasonable basis. THE OWNER OF THE CENTRALLY ASSESSED PROPERTY SHALL ENSURE THAT THE PRORATED REAL PROPERTY TAXES AND SPECIAL ASSESSMENTS ARE PAID ON THE LAND BEING SOLD, BEFORE THE DIVISION OF LAND IS MADE.

(II) THE COUNTY TREASURER MAY ACCEPT THE AMOUNT OF THE TAX PRORATED PURSUANT TO THIS SUBSECTION (3)(B) AS A PARTIAL PAYMENT OF THE TOTAL TAX THAT IS DUE."

- END -

EXHIBIT 1
DATE 2/11/03
HB 258

Amendments to House Bill No. 258
1st Reading Copy

Requested by Representative Rick Maedje

For the House Local Government Committee

Prepared by Connie Erickson
February 1, 2003 (3:14pm)

1. Page 1, line 19.
Strike: "term "tobacco"
Insert: "following definitions apply:
(a) "Tobacco cessation program" means a program offered by a health care facility licensed by the state that uses a combination of behavioral therapy and medication to treat people who want to stop smoking.
(b) "Tobacco"

- END -

HOUSE OF REPRESENTATIVES
Roll Call
LOCAL GOVERNMENT COMMITTEE

DATE 2/11/03

NAME	PRESENT	ABSENT	EXCUSED
REP. MARK NOENNIG, CHAIRMAN	✓		
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY	✓		
REP. EILEEN CARNEY, VICE CHAIR MINORITY	✓		
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR	✓		
REP. RON DEVLIN	✓		
REP. GARY FORRESTER	✓		
REP. RAY HAWK	✓		
REP. HAL JACOBSON	✓		
REP. JESSE LASLOVICH	✓		
REP. BOB LAWSON	✓		
REP. PENNY MORGAN	✓		
REP. RICK MAEDJE	✓		
REP. ALAN OLSON	✓		
REP. HOLLY RASER			✓

/s/LocalGovRollCall.2003

HOUSE OF REPRESENTATIVES

Roll Call Vote

LOCAL GOVERNMENT COMMITTEE

DATE 2/11/03 BILL NO 258 MOTION NO. ~~25805~~ 1

MOTION: Amendment Pass 13-3 #25805

NAME	AYE	NO	ABSENTEE
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR		✓	
REP. RON DEVLIN	✓		
REP. GARY FORRESTER	✓		
REP. RAY HAWK	✓		
REP. HAL JACOBSON		✓	
REP. JESSE LASLOVICH	✓		
REP. BOB LAWSON	✓		
REP. RICK MAEDJE	✓		
REP. PENNY MORGAN	✓		
REP. ALAN OLSON	✓ pr.		
REP. HOLLY RASER	✓ pr.		
REP. EILEEN CARNEY, VICE CHAIR MINORITY	✓		
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY		✓	
REP. MARK NOENNIG, CHAIRMAN	✓		

HOUSE OF REPRESENTATIVES

Roll Call Vote

LOCAL GOVERNMENT COMMITTEE

DATE 2/11/03 BILL NO 258 MOTION NO. 2

MOTION: Bill as amended

Fails 4-9

NAME	AYE	NO	ABSENTEE
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR		✓	
REP. RON DEVLIN	✓		
REP. GARY FORRESTER		✓	
REP. RAY HAWK	✓		
REP. HAL JACOBSON		✓	
REP. JESSE LASLOVICH		✓	
REP. BOB LAWSON		✓	
REP. RICK MAEDJE	✓		
REP. PENNY MORGAN	✓		
REP. ALAN OLSON	✓ pr.		
REP. HOLLY RASER		✓ pr.	
REP. EILEEN CARNEY, VICE CHAIR MINORITY		✓	
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY		✓	
REP. MARK NOENNIG, CHAIRMAN		✓	

COMMITTEE FILE COPY

TABLED BILL

The **HOUSE LOCAL GOVERNMENT COMMITTEE** TABLED **HB 258**, by motion, on **Tuesday, February 11, 2003**.

Linda Keim
(For the Committee)

(Chief Clerk of the House)

9:20 / 2-12
(Time) (Date)

February 12, 2003 | Linda Keim, Secretary | Phone: 444-4832

COMMITTEE ABSENTEE BALLOT

DATE: 2/11/03

I hereby authorize Rep. [illegible] to cast my vote(s) as follows:

Representative

COMMITTEE PROXY

DATE February 11, 03

I request to be excused from the Local Government Committee meeting this date because of other commitments. I desire to leave my proxy vote with Ellen Carney

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/ AMENDMENT	AYE	NO
HB 2508		
Amendment 01	✓	
02	✓	
03	✓	
HB 258		✓
Table	✓	

SENATE BILL/AMENDMENT	AYE	NO

Rep. D. Rasmussen

(Signature)

S:\HOUSE STATE ADMIN FORMS\committee proxy.frm

Montana House of Representatives
Visitors Register

LOCAL GOVERNMENT COMMITTEE **Date** 2-11

Bill No. 416 **Sponsor(s)** _____

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
Don Hargrove	Gallatin County	416		
John Vincent	Gallatin County Commission	416		
HAROLD BLATTIS	MACo	"		
MMA Jamison	Gallatin dty	416		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

LOCAL GOVERNMENT COMMITTEE **Date** 2-11

Bill No. 426 **Sponsor(s)** _____

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
MIKE Fellows	MTLP	426X		
Don Judge	Teamsters 190		X	
Pat Clinch	MSCOFF		X	
DOUG NEIL	MSFA		X	
Alec Hansen	CITIES & TOWNS		X	
Hiram Blatter	MACo		✓	
Joe Mazurek	City of GF		✓	
Tim Burton	City of Helena		✓	
Jani McCall	City of Billings		✓	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

LOCAL GOVERNMENT COMMITTEE **Date** 2-11

Bill No. 441 **Sponsor(s)** _____

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
Dolores Cooney	DOR			✓

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

EXHIBIT 4
DATE 2/20/03
HB 441

Amendments to House Bill No. 441
1st Reading Copy

Requested by Representative Larry Cyr

For the House Local Government Committee

Prepared by Connie Erickson
February 19, 2003 (10:00am)

1. Title, line 5.
Strike: "SECTION"
Insert: "SECTIONS 15-16-102 AND"

2. Page 1.
Following: line 8
Insert: "Section 1. Section 15-16-102, MCA, is amended to read:

"15-16-102. Time for payment -- penalty for delinquency. Unless suspended or canceled under the provisions of Title 15, chapter 24, part 17, all taxes levied and assessed in the state of Montana, except assessments made for special improvements in cities and towns payable under 15-16-103, are payable as follows:

(1) One-half of the taxes are payable on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, and one-half are payable on or before 5 p.m. on May 31 of each year.

(2) Unless one-half of the taxes are paid on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, the amount payable is delinquent and draws interest at the rate of 5/6 of 1% a month from and after the delinquency until paid and 2% must be added to the delinquent taxes as a penalty.

(3) All taxes due and not paid on or before 5 p.m. on May 31 of each year are delinquent and draw interest at the rate of 5/6 of 1% a month from and after the delinquency until paid, and 2% must be added to the delinquent taxes as a penalty.

(4) (a) If the date on which taxes are due falls on a holiday or Saturday, taxes may be paid without penalty or interest on or before 5 p.m. of the next business day in accordance with 1-1-307.

(b) If taxes on property qualifying under the low-income property tax assistance provisions of 15-6-134(1)(c) and 15-6-191 are paid within 20 calendar days of the date on which the taxes are due, the taxes may be paid without penalty or interest. If a tax payment is made later than 20 days after the taxes were due, the penalty must be paid and interest accrues from the date on which the taxes were due.

(5) A taxpayer may pay current year taxes without paying delinquent taxes. The county treasurer shall accept a partial payment equal to the delinquent taxes, including penalty and

interest, for one or more full taxable years, provided that taxes for both halves of the current tax year have been paid. Payment of taxes for delinquent taxes must be applied to the taxes that have been delinquent the longest. The payment of taxes for the current tax year is not a redemption of the property tax lien for any delinquent tax year.

(6) The penalty and interest on delinquent assessment payments for specific parcels of land may be waived by resolution of the city council. A copy of the resolution must be certified to the county treasurer.

(7) If the department revises an assessment that results in an additional tax of $5 or less, an additional tax is not owed and a new tax bill does not need to be prepared.

(8) The county treasurer may accept a partial payment of centrally assessed property taxes as provided in 76-3-207."

{Internal References to 15-16-102:

X 7-8-2301	*X 7-8-2303*	*X 7-12-4188*	*X 15-16-103*
X 15-16-103	*X 15-16-103*	*X 15-16-103*	*X 15-16-203*
X 15-16-203	*X 15-16-611*	*X 15-17-326*	*X 15-17-326*
X 15-17-326	*X 15-18-112*	*X 15-18-112*	*X 15-18-114*
X 15-23-115	*X 15-23-214*	*X 15-23-214*	*X 15-23-507*
X 15-23-507	*X 15-23-804*	*X 15-23-804*	*X 15-24-202*
X 15-24-202	*X 15-24-202*	*X 15-24-1607*	*X 85-7-2136*
X 85-7-2136	*X 85-8-601 }"*		

Renumber: subsequent section

3. Page 2, line 7.
Following: "(b)"
Insert: "(i)"

4. Page 2.
Following: line 9
Insert: "(ii) The county treasurer may accept the amount of the tax prorated pursuant to this subsection (3)(b) as a partial payment of the total tax that is due."

- END -

HOUSE OF REPRESENTATIVES
Roll Call
LOCAL GOVERNMENT COMMITTEE

DATE 2/20/03

NAME	PRESENT	ABSENT	EXCUSED
REP. MARK NOENNIG, CHAIRMAN	✓		
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY	✓		
REP. EILEEN CARNEY, VICE CHAIR MINORITY	✓		
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR	✓		
REP. RON DEVLIN	✓		
REP. GARY FORRESTER	✓		
REP. RAY HAWK	✓		
REP. HAL JACOBSON	✓		
REP. JESSE LASLOVICH	✓		
REP. BOB LAWSON	✓		
REP. PENNY MORGAN	✓		
REP. RICK MAEDJE	✓		
REP. ALAN OLSON	✓		
REP. HOLLY RASER	✓		

/s/LocalGovRollCall.2003

HOUSE OF REPRESENTATIVES

Roll Call Vote

LOCAL GOVERNMENT COMMITTEE

DATE 2/20/03 BILL NO 258 MOTION NO. _____

MOTION: _____

Amdt 25806.ace

9-7

NAME	AYE	NO	ABSENTEE
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR		✓	
REP. RON DEVLIN	✓		
REP. GARY FORRESTER	✓		
REP. RAY HAWK	✓		
REP. HAL JACOBSON		✓	
REP. JESSE LASLOVICH		✓	
REP. BOB LAWSON		✓	
REP. RICK MAEDJE	✓		
REP. PENNY MORGAN	✓		
REP. ALAN OLSON	✓		
REP. HOLLY RASER		✓	
REP. EILEEN CARNEY, VICE CHAIR MINORITY		✓	
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY	✓		
REP. MARK NOENNIG, CHAIRMAN		✓	

HOUSE OF REPRESENTATIVES
Roll Call Vote
LOCAL GOVERNMENT COMMITTEE

DATE 2/20/03 BILL NO _____ MOTION NO. _____
MOTION: _____

HB 258 as amended 8-8

NAME	AYE	NO	ABSENTEE
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR		✓	
REP. RON DEVLIN	✓		
REP. GARY FORRESTER	✓		
REP. RAY HAWK	✓		
REP. HAL JACOBSON		✓ p	
REP. JESSE LASLOVICH		✓	
REP. BOB LAWSON		✓	
REP. RICK MAEDJE	✓		
REP. PENNY MORGAN	✓		
REP. ALAN OLSON	✓		
REP. HOLLY RASER		✓	
REP. EILEEN CARNEY, VICE CHAIR MINORITY		✓	
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY		✓	
REP. MARK NOENNIG, CHAIRMAN		✓	

HOUSE OF REPRESENTATIVES

Roll Call Vote

LOCAL GOVERNMENT COMMITTEE

DATE 2/20/03 BILL NO _____ MOTION NO. _____

MOTION: _____

Table HB258 – 12-4

NAME	AYE	NO	ABSENTEE
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR	✓		
REP. RON DEVLIN		✓	
REP. GARY FORRESTER	✓		
REP. RAY HAWK		✓	
REP. HAL JACOBSON	✓		
REP. JESSE LASLOVICH	✓		
REP. BOB LAWSON	✓		
REP. RICK MAEDJE		✓	
REP. PENNY MORGAN	✓		
REP. ALAN OLSON		✓	
REP. HOLLY RASER	✓		
REP. EILEEN CARNEY, VICE CHAIR MINORITY	✓		
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY	✓		
REP. MARK NOENNIG, CHAIRMAN	✓		

HOUSE OF REPRESENTATIVES

Roll Call Vote

LOCAL GOVERNMENT COMMITTEE

DATE 2/20/03 BILL NO _____ MOTION NO. _____

MOTION: _____

HB 357 Motion Table 10-5

NAME	AYE	NO	ABSENTEE
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR	✓		
REP. RON DEVLIN		✓	
REP. GARY FORRESTER	✓		
REP. RAY HAWK		✓	
REP. HAL JACOBSON	—	—	
REP. JESSE LASLOVICH	✓		
REP. BOB LAWSON	✓		
REP. RICK MAEDJE	✓		
REP. PENNY MORGAN	✓		
REP. ALAN OLSON		✓	
REP. HOLLY RASER		✓	
REP. EILEEN CARNEY, VICE CHAIR MINORITY	✓		
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY		✓	
REP. MARK NOENNIG, CHAIRMAN	✓		

HOUSE OF REPRESENTATIVES
Roll Call Vote
LOCAL GOVERNMENT COMMITTEE

DATE 2/20/03 BILL NO HB 357 MOTION NO.

MOTION: Do Pass As Amd HB 357 11-5

NAME	AYE	NO	ABSENTEE
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR	✓		
REP. RON DEVLIN		✓	
REP. GARY FORRESTER	✓		
REP. RAY HAWK		✓	
REP. HAL JACOBSON	✓		
REP. JESSE LASLOVICH	✓		
REP. BOB LAWSON	✓		
REP. RICK MAEDJE	✓		
REP. PENNY MORGAN	✓		
REP. ALAN OLSON		✓	
REP. HOLLY RASER	✓	✓	
REP. EILEEN CARNEY, VICE CHAIR MINORITY	✓		
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY		✓	
REP. MARK NOENNIG, CHAIRMAN	✓		

HOUSE OF REPRESENTATIVES
Roll Call Vote
LOCAL GOVERNMENT COMMITTEE

DATE 2/20/03 BILL NO HB528 MOTION NO._____
MOTION: _____

Table HB 528 10-6

NAME	AYE	NO	ABSENTEE
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR		✓	
REP. RON DEVLIN	✓		
REP. GARY FORRESTER	✓		
REP. RAY HAWK	✓		
REP. HAL JACOBSON		✓	
REP. JESSE LASLOVICH		✓	
REP. BOB LAWSON	✓		
REP. RICK MAEDJE	✓		
REP. PENNY MORGAN	✓		
REP. ALAN OLSON	✓		
REP. HOLLY RASER		✓	
REP. EILEEN CARNEY, VICE CHAIR MINORITY		✓	
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY		✓	
REP. MARK NOENNIG, CHAIRMAN	✓		

HOUSE OF REPRESENTATIVES

Roll Call Vote

LOCAL GOVERNMENT COMMITTEE

DATE 2/20/03 BILL NO HB583 MOTION NO. _____

MOTION: _____

Do Pass HB583 9-7

NAME	AYE	NO	ABSENTEE
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR		✓	
REP. RON DEVLIN		✓	
REP. GARY FORRESTER		✓	
REP. RAY HAWK	✓		
REP. HAL JACOBSON		✓	
REP. JESSE LASLOVICH		✓	
REP. BOB LAWSON	✓		
REP. RICK MAEDJE	✓		
REP. PENNY MORGAN	✓		
REP. ALAN OLSON	✓		
REP. HOLLY RASER		✓	
REP. EILEEN CARNEY, VICE CHAIR MINORITY		✓	
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY	✓		
REP. MARK NOENNIG, CHAIRMAN	✓		

HOUSE OF REPRESENTATIVES
Roll Call Vote
LOCAL GOVERNMENT COMMITTEE

DATE 2/20/03 BILL NO HB258 MOTION NO._____
MOTION: _____

Bring HB258 off table 9-6

NAME	AYE	NO	ABSENTEE
REP. ARLENE BECKER	✓		
REP. ROD BITNEY	✓		
REP. LARRY CYR		✓	
REP. RON DEVLIN	✓		
REP. GARY FORRESTER	✓		
REP. RAY HAWK	✓		
REP. HAL JACOBSON	-		
REP. JESSE LASLOVICH	✓		
REP. BOB LAWSON		✓	
REP. RICK MAEDJE	✓		
REP. PENNY MORGAN	✓		
REP. ALAN OLSON	✓		
REP. HOLLY RASER		✓	
REP. EILEEN CARNEY, VICE CHAIR MINORITY		✓	
REP. SCOTT MENDENHALL, VICE CHAIR MAJORITY		✓	
REP. MARK NOENNIG, CHAIRMAN		✓	

COMMITTEE FILE COPY

TABLED BILL

The **HOUSE LOCAL GOVERNMENT COMMITTEE** TABLED **HB 528, HB 596**, by motion, on **Thursday, February 20, 2003**.

Linda Keim
(For the Committee)

(Chief Clerk of the House)

9:05 12-21
(Time) (Date)

February 21, 2003 Linda Keim, Secretary Phone: 444-4832

HOUSE STANDING COMMITTEE REPORT

February 21, 2003

Mr. Speaker:

We, your committee on **Local Government** recommend that **House Bill 583** (first reading copy -- white) **do pass.**

Signed: Mark E Noennig
Representative Mark Noennig, Chair

- END -

Committee Vote:
Yes 9, No 7.

2-21-03

390913SC.hhn

HOUSE STANDING COMMITTEE REPORT

Mr. Speaker:

We, your committee on **Local Government** recommend that **House Bill 357** (first reading copy -- white) **do pass as amended.**

Signed: Mark E. Noennig
Representative Mark Noennig, Chair

And, that such amendments read:

1. Title, line 5.
Following: "PROGRAM;"
Strike: "AND"

2. Title, line 8.
Following: "LOANS"
Insert: "; AND REQUIRING THE OFFICER TO CONTRACT WITH A HISTORICAL ARCHITECT"

3. Page 1, line 12.
Following: "courthouses."
Insert: "(1)"

4. Page 1, line 16.
Strike: "(1)"
Insert: "(a)"

5. Page 1, line 18.
Strike: "(2)"
Insert: "(b)"

2-21-03

Committee Vote:
Yes 11, No 5.

390912SC.hhn

6. Page 1, line 19.
Strike: "(3)"
Insert: "(c)"

7. Page 1, line 20.
Strike: "(4)"
Insert: "(d)"

8. Page 1.
Following: line 21
Insert: "(2) The historic preservation officer shall contract with a historical architect to assist counties in restoring and rehabilitating county courthouses. The contract may not exceed $72,000."

- END -

HOUSE STANDING COMMITTEE REPORT

Mr. Speaker:

We, your committee on **Local Government** recommend that **House Bill 441** (first reading copy -- white) **do pass as amended and be placed on the consent calendar.**

Signed: Mark E. Noennig
Representative Mark Noennig, Chair

And, that such amendments read:

1. Title, line 5.
Strike: "SECTION"
Insert: "SECTIONS 15-16-102 AND"

2. Page 1.
Following: line 8
Insert: "Section 1. Section 15-16-102, MCA, is amended to read:
"15-16-102. Time for payment -- penalty for delinquency. Unless suspended or canceled under the provisions of Title 15, chapter 24, part 17, all taxes levied and assessed in the state of Montana, except assessments made for special improvements in cities and towns payable under 15-16-103, are payable as follows:
(1) One-half of the taxes are payable on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, and one-half are payable on or before 5 p.m. on May 31 of each year.
(2) Unless one-half of the taxes are paid on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, the amount payable is delinquent and draws interest at the rate of 5/6 of 1% a month from and after the delinquency until paid and 2% must be added to the delinquent taxes as a penalty.
(3) All taxes due and not paid on or before 5 p.m. on May 31 of each year are delinquent and draw interest at the rate of 5/6 of 1% a month from and after the delinquency until paid, and

Committee Vote:
Yes 16, No 0.

390910SC.hhn

2-21-03

2% must be added to the delinquent taxes as a penalty.

(4) (a) If the date on which taxes are due falls on a holiday or Saturday, taxes may be paid without penalty or interest on or before 5 p.m. of the next business day in accordance with 1-1-307.

(b) If taxes on property qualifying under the low-income property tax assistance provisions of 15-6-134(1)(c) and 15-6-191 are paid within 20 calendar days of the date on which the taxes are due, the taxes may be paid without penalty or interest. If a tax payment is made later than 20 days after the taxes were due, the penalty must be paid and interest accrues from the date on which the taxes were due.

(5) A taxpayer may pay current year taxes without paying delinquent taxes. The county treasurer shall accept a partial payment equal to the delinquent taxes, including penalty and interest, for one or more full taxable years, provided that taxes for both halves of the current tax year have been paid. Payment of taxes for delinquent taxes must be applied to the taxes that have been delinquent the longest. The payment of taxes for the current tax year is not a redemption of the property tax lien for any delinquent tax year.

(6) The penalty and interest on delinquent assessment payments for specific parcels of land may be waived by resolution of the city council. A copy of the resolution must be certified to the county treasurer.

(7) If the department revises an assessment that results in an additional tax of $5 or less, an additional tax is not owed and a new tax bill does not need to be prepared.

(8) The county treasurer may accept a partial payment of centrally assessed property taxes as provided in 76-3-207.""

Renumber: subsequent section

3. Page 2, line 7.
Following: "(b)"
Insert: "(i)"

4. Page 2.
Following: line 9
Insert: "(ii) The county treasurer may accept the amount of the tax prorated pursuant to this subsection (3)(b) as a partial payment of the total tax that is due."

- END -

HOUSE STANDING COMMITTEE REPORT

February 21, 2003

Mr. Speaker:

We, your committee on **Local Government** recommend that **House Bill 512** (first reading copy -- white) **do pass as amended and be placed on the consent calendar**.

Signed: Mark E Noennig
Representative Mark Noennig, Chair

And, that such amendments read:

1. Title, line 6.
Strike: "AFFECTED" through "CHANGE"
Insert: "TO BE ADDED TO THE PLANNING AND ZONING DISTRICT"

2. Page 1, line 11.
Strike: "affected" through "change"
Insert: "to be added to a planning and zoning district"

3. Page 1, line 13.
Following: "district."
Insert: "The area to be added must be adjacent to the planning and zoning district."

- END -

Committee Vote:
Yes 16, No 0.

390911SC.hhn

COMMITTEE PROXY

DATE Feb 20, '03

I request to be excused from the Local Government Committee meeting this date because of other commitments. I desire to leave my proxy vote with Rep. Eliz. DeLong

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/ AMENDMENT	AYE	NO
HB044101	✓	
HB 441	✓	
HB 05120lanV	✓	
HB 05120lace	✓	
HB 512	✓	
HB025806.ace		✓
HB258		✓
HB035701ace	✓	
HB 357	✓	
HB528table		✓
HB 583		✓
HB 596table		✓

~~SENATE~~ House BILL/AMENDMENT	AYE	NO

Rep. [signature]

(Signature)

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COMMITTEE PROXY

DATE Feb 20 '03

I request to be excused from the Local Government Committee meeting this date because of other commitments. I desire to leave my proxy vote with Rep. Eileen Cannon

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/ AMENDMENT	AYE	NO
HB 357		✓
HB 528 Table		✓
HB 583		✓
HB 596 table		✓

SENATE BILL/AMENDMENT	AYE	NO

Rep. [signature]

(Signature)

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COMMITTEE PROXY

DATE Feb 20 03

I request to be excused from the Local Government Committee meeting this date because of other commitments. I desire to leave my proxy vote with Rep. Eileen Cooney

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/ AMENDMENT	AYE	NO
HB 357	✓	
HB 528 table		✓
HB 583		✓
HB 596 table		✓

SENATE BILL/AMENDMENT	AYE	NO

Rep. Larry Lyx

(Signature)

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Montana House of Representatives
Visitors Register

LOCAL GOVERNMENT COMMITTEE **Date** 2/20

Bill No. 596 **Sponsor(s)** _____

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
Betty Carey - Joliet	Beaverhead-MEDA	✓		
Charles E. Logan - Columbus	Stillwater Co.	✓		
EVAN BARRETT - BUTTE	BLDC MEDA	X		
Ronda Carpenter	Cascade City Comm	X		
Gary Amestoy	Richland Economic Development Corporation	X		
Nancy Schlepp	MT Farm Bureau		X	
HAROLD BLATTE	MACO	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

LOCAL GOVERNMENT COMMITTEE **Date** 2/20

Bill No. 535 **Sponsor(s)** _____

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
HAROLD BLATTIES	MACo	✓		
Charles E. Egan Columbus	Stillwater County	✓		
Daniel Watson	ROSEBUD COUNTY	✓		
Bonda Carpenter	Cascade City Comm	✓		
EDDIE AMERT	Lincoln Cnty	✓		
Ross Temple	" "	✓		
Nancy Schlepp	MT Farm Bureau		✓	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

LOCAL GOVERNMENT COMMITTEE **Date** 2/20

Bill No. 528 **Sponsor(s)** _____

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

LOCAL GOVERNMENT COMMITTEE Date 2/20

Bill No. 583 Sponsor(s) _____

PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Jim Currie	MDT			+

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

SENATE
TAXATION COMMITTEE
ROLL CALL

DATE March 18, 2003 2003

MEMBER	ASSIGNMENT	PRESENT	EXCUSED	ABSENT
Sen. Bob DePratu	Chairman	✓		
Sen. Jerry Black	Member	✓		
Sen. John Bohlinger	Member	✓		
Sen. Jon Ellingson	Member	✓		
Sen. Jim Elliott	Member	✓		
Sen. Bill Glaser	Member	✓		
Sen. Dan Harrington	Member	✓		
Sen. Walt McNutt	Member	✓		
Sen. Mike Taylor	Member	✓		
Sen. Ken Toole	Member	✓		
Sen. Bob Story	Vice Chair	✓		

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Taxation** recommend that **Senate Bill 296** (first reading copy -- white) **do pass as amended.**

Signed: _____
Senator Bob DePratu, Chair

And, that such amendments read:

1. Page 1, line 25.
Strike: "or" through "greater"

2. Page 1.
Following: line 27
Insert: "(iii) for city offices having an annual salary of more than $2,500, $50 or 1.5% of the total annual salary, whichever is greater;"
Renumber: subsequent subsections

3. Page 2, line 6.
Following: the second "committee,"
Insert: "a ballot issue committee that is not a state ballot issue committee, or an incidental committee,"

4. Page 2, line 9.
Following: "A"
Insert: "state"
Following: "committee"
Insert: "formed by a political party organization"

5. Page 2, line 10.
Strike: "$10"
Insert: "$100"

Committee Vote:
Yes 10, No 1.

571456SC.sjo

SR

Following: "."
Insert: "All other political party committees shall, upon formation and annually before February 15 of each year, pay to the office of the commissioner of political practices a fee of $25.

6. Page 2, line 15.
Strike: "(1)(a)(iii)"
Insert: "(1)(a)(iv)"

7. Page 2.
Following: line 17
Insert: "(4) Of a fee paid under subsection (1)(a)(iii), or $30 or 1.25% of the salary paid to the office, whichever is greater, must be retained by the county."
Renumber: subsequent subsection

8. Page 2, line 19.
Following: "(3)"
Insert: "or (4)"

- END -

BILL REPORT

*

SENATE COMMITTEE Taxation

INDEFINITELY POSTPONED SB 11

DATE March 18, 2003

Shirley Herrin	4783	105A
COMMITTEE SECRETARY	PHONE	ROOM

BILL REPORT

*

SENATE COMMITTEE Taxation

INDEFINITELY POSTPONED SB 301

DATE March 18, 2003

Shirley Herrin	4783	105A
COMMITTEE SECRETARY	PHONE	ROOM

BILL REPORT

SENATE COMMITTEE TAXATION

INDEFINITELY POSTPONED SB332

DATE MARCH 18, 2003

Shirley Herrin	4783	405A
COMMITTEE SECRETARY	PHONE	ROOM

BILL REPORT

SENATE COMMITTEE TAXATION

INDEFINITELY POSTPONED SB338

DATE MARCH 18, 2003

Shirley Herrin	4783	405A
COMMITTEE SECRETARY	PHONE	ROOM

BILL REPORT

*

SENATE COMMITTEE TAXATION

INDEFINITELY POSTPONED SB 351

DATE MARCH 18, 2003

Shirley Herrin	4783	405A
COMMITTEE SECRETARY	PHONE	ROOM

BILL REPORT

X

SENATE COMMITTEE TAXATION

INDEFINITELY POSTPONED SB 353

DATE MARCH 18, 2003

Shirley Herrin	4783	405A
COMMITTEE SECRETARY	PHONE	ROOM

5478 OK
S 416 ?
H 517 OK

PROXY VOTE

S 480 Aye
S462 as amended Aye
-SB.420
N on Amend
Y on 2nd Amend
N in Bill

I, THE UNDERSIGNED, HEREBY AUTHORIZE

SENATOR Ellingson **TO VOTE MY PROXY**

ON ANY ISSUE BEFORE THE SENATE COMMITTEE

ON _____ **MEETING HELD ON** 3-25-03,

2003.

SENATOR
STATE OF MONTANA

PROXY VOTE

I, THE UNDERSIGNED, HEREBY AUTHORIZE

SENATOR Story **TO VOTE MY PROXY**

ON ANY ISSUE BEFORE THE SENATE COMMITTEE

ON Taxation **MEETING HELD ON** Mar 18,

2003.

SB 351 Indef Post Aye
SB 353 Indef Post Aye

SB 11 – Indef Post. Aye

SB 296 Do pass Yes
SB 301 Do pass No Indef Post Yes
SB 332 Do pass No Indef Post.
SB 338 Indef Post Aye

Walter L. McNutt

SENATOR
STATE OF MONTANA

PROXY VOTE

I, THE UNDERSIGNED, HEREBY AUTHORIZE SENATOR Bill Glaser **TO VOTE MY PROXY ON ANY ISSUE BEFORE THE SENATE COMMITTEE ON** Tax **MEETING HELD ON** 3/18/03, **2003.**

SENATOR
STATE OF MONTANA

S. 517 AME
S. 460 AME
S 462 AME
S 478 AME
- N on Amend to SB 471
Y on 2nd Amend
N on Bill

PROXY VOTE

I, THE UNDERSIGNED, HEREBY AUTHORIZE

SENATOR Ellingson **TO VOTE MY PROXY**

ON ANY ISSUE BEFORE THE SENATE COMMITTEE

ON Tax **MEETING HELD ON** 3-25-03, **2003.**

K Toole

SENATOR
STATE OF MONTANA

DATE MARCH 18, 2003

SENATE COMMITTEE ON TAXATION

BILLS BEING HEARD TODAY: SB 463

HB 441 ~ HB 642

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
MARY WRIGHT	444-9698	MT. CONSUMER COUNSEL	642		
Mike Pichette	9-9819	NW Energy	441	✓	
Greg Jergeson	444-6166	PSC	Info 642		
Alicia Bradshaw	580-9178	Gallatin Dev. Corporation	463	✓	
Dolores Colvey	444-9848	DOR	441	INFO	
Greg Gianforte	522-4212	RightNow	463	✓	
Steve Daines	582-0884	RightNow Technologies	463	✓	
Pat Cecora	497-2202	Northwestern Energy	642	✓	
Bill Penn	490-3711	MDU Co. MONTANA DAKOTA UTILITY Co.	642	✓	—
Charles Brooks	698-2380	Assoc of Commerce	SJR 46 3	✓	
Bonnie Fowler	443-5663	AARP	HB 643 452		
Joe MAZUREK	449-4195	DADCO	HB 463	✓	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

SENATE
TAXATION COMMITTEE
ROLL CALL

DATE March 19, 2003

MEMBER	ASSIGNMENT	PRESENT	EXCUSED	ABSENT
Sen. Bob DePratu	Chairman	✓		
Sen. Jerry Black	Member	✓		
Sen. John Bohlinger	Member	✓		
Sen. Jon Ellingson	Member	✓		
Sen. Jim Elliott	Member	✓		
Sen. Bill Glaser	Member	✓		
Sen. Dan Harrington	Member		✓	
Sen. Walt McNutt	Member	✓		
Sen. Mike Taylor	Member	✓		
Sen. Ken Toole	Member	✓		
Sen. Bob Story	Vice Chair	✓		

MONTANA SENATE
2003 LEGISLATURE
TAXATION COMMITTEE
ROLL CALL VOTE

DATE Mar 19, 2003 BILL NO. SB289 NUMBER 1

MOTION: Sen. Jon Ellingson's motion SB289 Do Pass As Amended.

MEMBER	ASSIGNMENT	YES	NO	ABSTAIN
Sen. Bob DePratu	Chairman		✓	
Sen. Jerry Black	Member		✓	
Sen. John Bohlinger	Member	✓		
Sen. Jon Ellingson	Member	✓		
Sen. Jim Elliott	Member		✓	
Sen. Bill Glaser	Member		✓ P	
Sen. Dan Harrington	Member	✓		
Sen. Walt McNutt	Member		✓	
Sen. Mike Taylor	Member		✓	
Sen. Ken Toole	Member	✓		
Sen. Bob Story	Vice Chair		✓	
		(4)	(7)	

Reverse Vote
Ind Postpone

MONTANA SENATE
2003 LEGISLATURE
TAXATION COMMITTEE
ROLL CALL VOTE

DATE MARCH 19, 2003 BILL NO. SB309 NUMBER 2

MOTION: SEN JOHN BOHLINGER MOVED DO PASS

MEMBER	ASSIGNMENT	YES	NO	ABSTAIN
Sen. Bob DePratu	Chairman		✓	
Sen. Jerry Black	Member		✓	
Sen. John Bohlinger	Member	✓		
Sen. Jon Ellingson	Member	✓		
Sen. Jim Elliott	Member		✓	
Sen. Bill Glaser	Member		✓ P	
Sen. Dan Harrington	Member	?		
Sen. Walt McNutt	Member		✓	
Sen. Mike Taylor	Member		✓	
Sen. Ken Toole	Member	✓		
Sen. Bob Story	Vice Chair		✓	
		(3)	(7)	

REVERSE VOTE
1 IND. POSTPONE

MONTANA SENATE
2003 LEGISLATURE
TAXATION COMMITTEE
ROLL CALL VOTE

DATE March 19, 2003 BILL NO. SB 453 NUMBER 3

MOTION: Sen. Ken Toole moved SB 453 DO PASS

MEMBER	ASSIGNMENT	YES	NO	ABSTAIN
Sen. Bob DePratu	Chairman	✓		
Sen. Jerry Black	Member	✓		
Sen. John Bohlinger	Member	✓		
Sen. Jon Ellingson	Member	✓		
Sen. Jim Elliott	Member	✓		
Sen. Bill Glaser	Member	✓		
Sen. Dan Harrington	Member	✓		
Sen. Walt McNutt	Member	✓		
Sen. Mike Taylor	Member	✓		
Sen. Ken Toole	Member	✓		
Sen. Bob Story	Vice Chair		✓	
		10	(1)	

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Taxation** recommend that **House Joint Resolution 34** (third reading copy -- blue) **be concurred in**.

Signed: _____
Senator Bob DePratu, Chair

To be carried by Senator Jerry Black

- END -

Committee Vote:
Yes 11, No 0.

581056SC.ssc

BILL REPORT

SENATE COMMITTEE TAXATION

INDEFINITELY POSTPONED SB 289

DATE MARCH 19, 2003

Shirley Herrin	4783	405A
COMMITTEE SECRETARY	**PHONE**	**ROOM**

BILL REPORT

SENATE COMMITTEE TAXATION

INDEFINITELY POSTPONED Senate Bill 309

DATE March 19, 2003

Shirley Herrin	4783	405-A
COMMITTEE SECRETARY	**PHONE**	**ROOM**

BILL REPORT

SENATE COMMITTEE Taxation

INDEFINITELY POSTPONED SB 371

DATE March 19, 2003

Shirley Herrin	4783	105A
COMMITTEE SECRETARY	**PHONE**	**ROOM**

SENATE STANDING COMMITTEE REPORT

March 19, 2003

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 627** (third reading copy -- blue) **be concurred in.**

Signed: _____
Senator Bob DePratu, Chair

To be carried by Senator Bob Story Jr.

- END -

Committee Vote:
Yes 11, No 0.

581041SC.ssc

SENATE STANDING COMMITTEE REPORT

March 19, 2003

Mr. President:

We, your committee on **Taxation** recommend that **Senate Bill 453** (first reading copy -- white) **do pass**.

Signed: _____
Senator Bob DePratu, Chair

- END -

Committee Vote:
Yes 10, No 1.

581040SC.ssc

SENATE STANDING COMMITTEE REPORT

March 19, 2003

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 441** (third reading copy -- blue) **be concurred in**.

Signed: _____
Senator Bob DePratu, Chair

To be carried by Senator Jerry Black

- END -

Committee Vote:
Yes 11, No 0.

581042SC.ssc

PROXY VOTE

I, THE UNDERSIGNED, HEREBY AUTHORIZE

SENATOR Hye **TO VOTE MY PROXY**

ON ANY ISSUE BEFORE THE SENATE COMMITTEE

ON Taxation **MEETING HELD ON** May 19,

2003.

Committee Bill Sales tax

Hye

SENATOR
STATE OF MONTANA

PROXY VOTE

I, THE UNDERSIGNED, HEREBY AUTHORIZE

SENATOR Bohlinger **TO VOTE MY PROXY**

ON ANY ISSUE BEFORE THE SENATE COMMITTEE

ON SB 209-NO SB 309-NO SB 391-NO **MEETING HELD ON** 3/19/03,

2003.

SENATOR
STATE OF MONTANA

PROXY VOTE

I, THE UNDERSIGNED, HEREBY AUTHORIZE

SENATOR Toole TO VOTE MY PROXY

ON ANY ISSUE BEFORE THE SENATE COMMITTEE

ON Taxation MEETING HELD ON Mar. 19,

2003.

SB 289
SB 309
SB 371
HB 627

SENATOR
STATE OF MONTANA

DATE March 19, 2003

SENATE COMMITTEE ON Taxation

BILLS BEING HEARD TODAY: HJ34 ~ HB627

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Tammy Bowling		Yellowstone Co. Treas	HB 627	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

HOUSE JOURNAL
58TH LEGISLATURE
SEVENTY-FIFTH LEGISLATIVE DAY

Helena, Montana — House Chambers
April 8, 2003 — State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative D. Brown. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the sixty-eighth and sixty-ninth legislative days, find the same to be correct.

Bookout-Reinicke, Chair

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 4/8/2003
Correctly enrolled: **HB 6**, **HB 8**, **HB 186**, **HB 195**, **HB 205**, **HB 230**, **HB 293**, **HB 384**, **HB 419**, **HB 431**, **HB 445**, **HB 456**, **HB 474**, **HB 482**, **HB 494**, **HB 501**, **HB 524**, **HB 546**, **HB 555**, **HB 579**, **HB 580**, **HB 591**, **HB 637**, **HB 678**, **HJR 12**, **HJR 26**.
Examined by the sponsor and found to be correct: **HB 6**, **HB 8**, **HB 186**, **HB 195**, **HB 205**, **HB 230**, **HB 293**, **HB 384**, **HB 419**, **HB 431**, **HB 445, HB 456, HB 474**, **HB 482**, **HB 494, HB 501**, **HB 524, HB 546, HB 555**, **HB 579**, **HB 580**, **HB 591**, **HB 637, HB 678**, **HJR 12**, **HJR 26**.

APPROPRIATIONS (Lewis, Chairman): 4/8/2003
HJR 41, be adopted. Report adopted.
SB 271, be amended as follows:

1. Title, line 4.
Strike: "REQUIRING THAT"
Insert: "AUTHORIZING"

2. Title, line 5.
Following: "REVENUE"
Insert: "TO"

3. Title, line 11.
Strike: "AND"

4. Title, line 13.
Following: "~~15-30-255,~~"
Insert: "39-51-1301, AND 39-51-2402,"
Strike: "AN IMMEDIATE"
Following: "EFFECTIVE"
Insert: "DATES AND A CONTINGENT TERMINATION"

5. Page 1, line 19.
Strike: "shall"
Insert: "may"

6. Page 1, line 22.
Strike: "must"
Insert: "may"

7. Page 1, lines 26 and 27.
Strike: "shall" on line 26
Insert: "may"
Following: "prior to" on line 26
Strike: remainder of line 26 through "session" on line 27
Insert: "February 1, 2005"

8. Page 2, lines 4 through 6.
Strike: subsection (4) in its entirety
Insert: "(4) The chief information officer, in consultation with the director of the department of revenue and the commissioner of labor and industry, shall require that current withholding, combined oil and gas, and unemployment insurance data determined necessary for the replacement system be corrected. The correction must be verified through an independent audit conducted either directly or under contract by the legislative auditor."

9. Page 6, lines 23 through 27.
Strike: subsection (b) in its entirety
Insert: "(b) All appeals that have not been heard prior to the termination of the delegation of duties in subsection (5) must be made in accordance with the procedures identified in 39-51-1109."

10. Page 6, line 29.
Strike: "that have not been appealed"

11. Page 6, line 30.
Strike: "prior to"
Insert: "following"

12. Page 8.
Following: line 2
Insert: **"Section 4.** Section 39-51-1109, MCA, is amended to read:

"39-51-1109. Tax appeals -- procedure. (1) A decision, determination, or redetermination of the department involving an employer-employee relationship or the charging of benefit payments to employers is final unless an interested party entitled to notification submits a written appeal of the decision, determination, or redetermination. The appeal must be made in the same manner as provided in 39-71-415.

(2) A decision, determination, or redetermination involving contribution liability, contribution rate, application for refund, subject wages, or other ~~tax-related~~ contribution-related issues must be issued by the department ~~of revenue as provided in Title 15, chapter 1, part 2, and 15-30-257, if applicable. The decision~~ and is final unless an interested party entitled to notification ~~follows the uniform dispute review procedures as prescribed in 15-1-211 and 15-30-257, if applicable~~ submits a written appeal of the decision, determination, or redetermination. An appeal must be made in the same manner as provided in 39-51-2402 for the appeal of a decision relating to a claim for unemployment insurance benefits. Statutory rules of evidence and civil procedure do not apply to a hearing on the appeal. A hearing may be conducted by telephone or by video conference. The decision of the appeals referee and any subsequent appeal must be made in the same manner as provided in 39-51-2403 through 39-51-2410."""
Renumber: subsequent sections

13. Page 11.
Following: line 8
Insert: "Section 5. Section 39-51-1301, MCA, is amended to read:

"39-51-1301. Penalty and interest on past-due reports and taxes. (1) Failure to file reports and payments in a timely manner, as required under 39-51-603, 39-51-1103, and 39-51-1125, may subject an employer to penalty and interest, as provided by 15-1-216.

(2) There is an account in the federal special revenue fund. Penalties and interest collected for unemployment insurance obligations ~~are distributed as provided in 15-30-250 and~~ must be deposited in that account. Money deposited in that account and appropriated to the department or transferred by the department to its delegate, pursuant to 39-51-301(5), may only be used by the department or its delegate to administer this chapter, including the detection and collection of unpaid taxes and overpayments of benefits to the extent that federal grant revenue is less than amounts appropriated for this purpose. Money in the account not appropriated for these purposes must be transferred by the department to the unemployment insurance trust fund at the end of each fiscal year.

(3) All money accruing to the unemployment insurance trust fund from interest and penalties collected on past-due unemployment insurance taxes must be used solely for the payment of unemployment insurance benefits and may not be used for any other purpose.""

"Section 6. Section 39-51-2402, MCA, is amended to read:

"39-51-2402. Initial determination -- redetermination. (1) A representative designated by the department and referred to as a deputy shall promptly examine the claim and, on the basis of the facts the deputy has found, the deputy shall determine whether or not the claim is valid. If the claim is valid, the deputy will determine the week the benefits commence, the weekly benefit amount payable, and the maximum benefit amount. The deputy may refer the claim or any question involved in the claim to an appeals referee who shall make the decision on the claim in accordance with the procedure prescribed in 39-51-2403. With respect to a determination, redetermination, or appeal by a claimant involving wages, the issue must be resolved in accordance with procedures for unemployment insurance benefit claimant appeals, as prescribed in 15-2-302 and 15-30-257 during the time that the department delegated the duties associated with the administration of unemployment insurance contributions to the department of revenue pursuant to 39-51-301. The deputy shall promptly notify the claimant and any other interested party of the decision and the reasons for reaching the decision.

(2) The deputy may for good cause reconsider the decision and shall promptly notify the claimant and other interested parties of the amended decision and the reasons for the decision.

(3) A determination or redetermination of an initial or additional claim may not be made under this section unless 5 days' notice of the time and place of the claimant's interview for examination of the claim is mailed to each interested party.

(4) A determination or redetermination is final unless an interested party entitled to notice of the decision applies for reconsideration of the determination or appeals the decision within 10 days after the notification was mailed to the interested party's last-known address. The 10-day period may be extended for good cause.

(5) Except as provided in subsection (6), a redetermination of a claim for benefits may not be made after 2 years from the date of the initial determination.

(6) A redetermination may be made within 3 years from the date of the initial determination of a claim if the initial determination was based on a false claim, misrepresentation, or failure to disclose a material fact by the claimant or the employer."
Renumber: subsequent sections

14. Page 11, line 16.
Strike: "**date**"
Insert: "**dates -- contingency**"
Following: "**date.**"
Insert: "(1)"
Strike: "[This act]"

Insert: "Except as provided in subsection (2), [this act]"

15. Page 11.
Following: line 17
Insert: "(2) [Sections 4 through 6] are effective on the date that the commissioner of labor and industry certifies to the governor that the delegation of duties in 39-51-301 is terminated."

16. Page 11, line 18.
Insert: "NEW SECTION. **Section 10. Contingent termination.** (1) [Section 3] terminates on the date that the commissioner of labor and industry certifies to the governor that the delegation of duties in 39-51-301 is terminated.

(2) The commissioner of labor and industry shall transmit a copy of the certification of the termination of duties to the code commissioner."

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Younkin, Chairman): 4/7/2003
HJR 37, be adopted. Report adopted.
HJR 40, be adopted. Report adopted.
HJR 42, be adopted. Report adopted.
SB 446, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in: 4/8/2003

SB 34, introduced by Barkus
SB 65, introduced by Roush
SB 76, introduced by Schmidt
SB 80, introduced by Laible
SB 86, introduced by Zook
SB 98, introduced by Mangan
SB 105, introduced by Johnson
SB 110, introduced by Toole
SB 113, introduced by Esp
SB 137, introduced by DePratu
SB 143, introduced by Bohlinger
SB 146, introduced by Anderson
SB 152, introduced by Cocchiarella
SB 159, introduced by Johnson
SB 226, introduced by DePratu

House amendments to Senate joint resolution concurred in: 4/8/2003

SJR 24, introduced by O'Neil

House amendments to Senate bills *not* concurred in: 4/7/2003

SB 57, introduced by Keenan

SB 126, introduced by Story

House bills concurred in and returned to the House: 4/8/2003

HB 124, introduced by A. Olson
HB 569, introduced by Gutsche
HB 602, introduced by Galvin-Halcro
HB 663, introduced by Laslovich

MESSAGES FROM THE GOVERNOR

April 7, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 41** sponsored by Representative Noennig, **House Bill 129** sponsored by Representative Gutsche, **House Bill 236** sponsored by Representative Erickson, **House Bill 272** sponsored by Representative Gillan et al., **House Bill 554** sponsored by Representative Kasten, and **House Bill 585** sponsored by Representative Franklin on April 7, 2003.

Sincerely,

JUDY MARTZ
Governor

April 7, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Mood and President Keenan:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 441, "**AN ACT PROVIDING FOR THE PRORATION OF PROPERTY TAXES ON CENTRALLY ASSESSED PROPERTY WHEN LAND IS SUBDIVIDED; AND AMENDING SECTIONS 15-16-102 AND 76-3-207, MCA**" for the following reasons.

House Bill No. 441 provides that before an individual parcel of land owned by a centrally assessed company may be subdivided, the Department of Revenue must determine a prorated assessed value and subsequent property tax liability attributed to the parcel of land being subdivided. And, once the tax liability for the parcel to be subdivided has been determined, the county treasurer may accept the payment of the prorated tax due (even though the payment is only a partial payment for total taxes owed by the centrally assessed company).

House Bill No. 441, in its current form, does not contain language that specifically states the prorated portion of the tax bill attributable to the portion of the land being sold must be paid prior to the division of the land. The amendatory veto language resolves that oversight. In addition, that was the clear intent of all parties affected by this bill. With the new language, after the prorated tax on the land being sold has been paid, the treasurer can then certify that all taxes and assessments have been paid on that portion, thus allowing the subdivision to proceed.

I have enclosed my amendment to that effect. Please be advised that the Department of Revenue concurs with this amendment. Further, please be advised that Representative Cyr, the sponsor of the bill, has been informed of my recommendation and has no objection.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 441

1. Page 3, line 14.
Following: "basis."
Insert: "The owner of the centrally assessed property shall ensure that the prorated real property taxes and special assessments are paid on the land being sold, before the division of land is made."

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 44, introduced by Fritz, referred to Business and Labor.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Brown moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gallik in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 197 - **Senate Amendments** - Representative Becker moved Senate amendments to **HB 197** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell,

Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 277 - Senate Amendments - Representative Lindeen moved Senate amendments to **HB 277** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lake, Lambert, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Balyeat, Everett, Kasten, Keane, Lange, Maedje, Newman, Pattison, Sales, Sinrud, Steinbeisser.
Total 11

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke.
Total 1

HB 437 - Senate Amendments - Representative A. Olson moved Senate amendments to **HB 437** be concurred in. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Forrester, Fuchs, Gallus, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 60

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lindeen, Musgrove, Noennig, Parker, Raser, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 40

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 107 - Senate Amendments - Representative A. Olson moved Senate amendments to **HB 107** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 92

Noes: Balyeat, Hawk, Juneau, Morgan, Sales, Sinrud.
Total 6

Excused: None.
Total 0

Absent or not voting: D. Brown, Maedje.
Total 2

HB 201 - Senate Amendments - Representative Jent moved Senate amendments to **HB 201** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 298 - Senate Amendments - Representative Younkin moved Senate amendments to **HB 298** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 90

Noes: Buzzas, P. Clark, Franklin, Golie, Gutsche, Kaufmann, Sinrud, Steinbeisser.
Total 8

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke, Maedje.
Total 2

HB 304 - Senate Amendments - Representative A. Olson moved Senate amendments to **HB 304** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Forrester, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 58

Noes: Balyeat, Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lindeen, Musgrove, Parker, Raser, Ryan, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 42

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 308 - **Senate Amendments** - Representative Musgrove moved Senate amendments to **HB 308** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 289 - **Senate Amendments** - Representative Newman moved Senate amendments to **HB 289** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Franklin, Golie, Jayne, Maedje.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 292 - **Senate Amendments** - Representative Younkin moved Senate amendments to **HB 292** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown,

Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Buzzas, Kaufmann, Wanzenried.
Total 3

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke.
Total 1

HB 299 - **Senate Amendments** - Representative Peterson moved Senate amendments to **HB 299** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cyr, Devlin, Dickenson, Dowell, Everett, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 85

Noes: Bixby, Buzzas, Callahan, P. Clark, Cohenour, Erickson, Franklin, Gallik, Gillan, Golie, Gutsche, Kaufmann, Wanzenried, Wilson.
Total 14

Excused: None.
Total 0

Absent or not voting: Facey.
Total 1

HB 315 - **Senate Amendments** - Representative Lawson moved Senate amendments to **HB 315** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts,

Rome, Ross, Ryan, Sales, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Laszloffy, Newman, Shockley.
Total 3

HB 317 - Senate Amendments - Representative Shockley moved Senate amendments to **HB 317** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Laszloffy.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 388 - Senate Amendments - Representative Lake moved Senate amendments to **HB 388** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: Buzzas, Everett, Fisher, Gallus.
Total 4

HB 433 - Representative P. Clark moved consideration of **HB 433** be passed for the day. Motion carried.

HB 435 - Senate Amendments - Representative Sinrud moved Senate amendments to **HB 435** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Fuchs, Gallik, Gallus, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 89

Noes: Becker, Callahan, Carney, Erickson, Franklin, Galvin-Halcro, Gibson, Gillan, Laslovich, Musgrove.
Total 10

Excused: None.
Total 0

Absent or not voting: Fritz.
Total 1

HB 453 - Senate Amendments - Representative Raser moved Senate amendments to **HB 453** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 93

Noes: Bixby, Buzzas, Erickson, Franklin, Jayne, Juneau.
Total 6

Excused: None.

Total 0

Absent or not voting: Ryan.
Total 1

HB 478 - Senate Amendments - Representative Peterson moved Senate amendments to **HB 478** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Younkin, Mr. Speaker.
Total 90

Noes: Buzzas, Callahan, Franklin, Galvin-Halcro, Gillan, Golie, Gutsche, Jayne, Wilson.
Total 9

Excused: None.
Total 0

Absent or not voting: Witt.
Total 1

HB 480 - Senate Amendments - Representative Steinbeisser moved Senate amendments to **HB 480** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Mr. Speaker.
Total 82

Noes: R. Brown, Buzzas, Dowell, Erickson, Franklin, Gillan, Golie, Gutsche, Jayne, Juneau, Kaufmann, Laszloffy, Newman, Noennig, Wanzenried, Wilson.
Total 16

Excused: None.
Total 0

Absent or not voting: P. Clark, Younkin.
Total 2

HB 573 - Senate Amendments - Representative Parker moved Senate amendments to **HB 573** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke, Pattison.
Total 2

HB 584 - Senate Amendments - Representative Barrett moved Senate amendments to **HB 584** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Harris.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 610 - Senate Amendments - Representative Bergren moved Senate amendments to **HB 610** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson,

Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: P. Clark, B. Olson, Wanzenried.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 618 - Senate Amendments - Representative Dickenson moved Senate amendments to **HB 618** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Jayne.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 642 - Senate Amendments - Representative Devlin moved Senate amendments to **HB 642** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas,

Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Gallik, Jayne, Parker.
Total 3

Excused: None.
Total 0

Absent or not voting: Shockley.
Total 1

HB 647 - Senate Amendments - Representative Thomas moved Senate amendments to **HB 647** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Jent.
Total 1

HB 653 - Senate Amendments - Representative Lambert moved Senate amendments to **HB 653** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Sales.
Total 1

HB 681 - **Senate Amendments** - Representative E. Clark moved Senate amendments to **HB 681** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 703 - Representative Parker moved consideration of **HB 703** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 90 - **Senate Amendments** - Representative E. Clark moved Senate amendments to **HB 90** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Gibson.
Total 1

HB 130 - Senate Amendments - Representative Lewis moved Senate amendments to **HB 130** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Fisher, Wilson.
Total 2

HB 141 - Senate Amendments - Representative Lange moved Senate amendments to **HB 141** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Jayne, Mendenhall.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 203 - Senate Amendments - Representative A. Olson moved Senate amendments to **HB 203** be concurred in.

Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jayne, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin.
Total 84

Noes: Buzzas, Carney, Dickenson, Gallik, Galvin-Halcro, Gutsche, Jacobson, Juneau, Kaufmann, Keane, Smith, Wanzenried.
Total 12

Excused: None.
Total 0

Absent or not voting: Franklin, Laslovich, Musgrove, Mr. Speaker.
Total 4

HB 213 - Senate Amendments - Representative Gallus moved Senate amendments to **HB 213** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: P. Clark.
Total 1

Excused: None.
Total 0

Absent or not voting: Fisher, Shockley.
Total 2

HB 247 - Senate Amendments - Representative Harris moved Senate amendments to **HB 247** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hedges,

Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 85

Noes: P. Clark, Facey, Franklin, Hawk, Keane, Lawson, Mendenhall, Newman, Rice, Sales, Sinrud, Wagman, Waitschies.
Total 13

Excused: None.
Total 0

Absent or not voting: Gillan, Shockley.
Total 2

HB 256 - Senate Amendments - Representative Shockley moved Senate amendments to **HB 256** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 91

Noes: Balyeat, Dowell, Erickson, Jayne, Juneau, Kaufmann, Wanzenried.
Total 7

Excused: None.
Total 0

Absent or not voting: Galvin-Halcro, Gillan.
Total 2

HB 259 - Senate Amendments - Representative Maedje moved Senate amendments to **HB 259** be concurred in. Motion **failed** as follows:

Ayes: Barrett, Bookout-Reinicke, R. Brown, Brueggeman, Dowell, Gallus, Hedges, Jackson, Kasten, Laslovich, Laszloffy, Maedje, A. Olson, B. Olson, Peterson, Rice, Ripley, Rome, Ryan, Sales, Wagman, Witt.
Total 22

Noes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney,

Mendenhall, Morgan, Musgrove, Newman, Noennig, Parker, Pattison, Raser, Roberts, Ross, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 78

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 358 - Senate Amendments - Representative Lange moved Senate amendments to **HB 358** be concurred in. Motion carried as follows:

Ayes: Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 86

Noes: Andersen, Ballantyne, Bergren, P. Clark, Cohenour, Franklin, Gallus, Kaufmann, Lewis, Rice, Ross, Waitschies, Wanzenried.
Total 13

Excused: None.
Total 0

Absent or not voting: Fisher.
Total 1

HB 385 - Senate Amendments - Representative Fritz moved Senate amendments to **HB 385** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 703 - Senate Amendments - Representative Parker moved Senate amendments to **HB 703** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Gallik moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 85

Noes: P. Clark, Cohenour, Dowell, Erickson, Franklin, Galvin-Halcro, Gillan, Gutsche, Harris, Jayne, Juneau, Kaufmann, Sales, Wanzenried, Weiss.
Total 15

Excused: None.
Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 17, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 20, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

Noes: Dickenson, Erickson, Kaufmann, Malcolm, Ross, Smith.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 40, **as amended by the Senate**, passed as follows:
sen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Maedje.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 50, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: Barrett, Fuchs, Gutsche.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 54, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser,

Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Balyeat.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 67, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jent, Juneau, Kaufmann, Lake, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Roberts, Ross, Ryan, Schrumpf, Small-Eastman, Smith, Stoker, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Younkin.
Total 71

Noes: Balyeat, Bookout-Reinicke, D. Brown, R. Brown, Everett, Fuchs, Gillan, Jackson, Jayne, Kasten, Keane, Lambert, Laszloffy, Maedje, Morgan, Pattison, Peterson, Raser, Rice, Ripley, Rome, Sales, Shockley, Sinrud, Steinbeisser, Wagman, Waitschies, Witt, Mr. Speaker.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 76, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Balyeat, Erickson, Gutsche, Kaufmann, Sales.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 98, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 104, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 110, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 123, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Bixby, Erickson, Gillan, Gutsche, Harris, Juneau, Kaufmann, Malcolm, Pattison, Ryan, Smith, Waitschies.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 127, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker,

Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Gallus, Sales.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 134, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Juneau.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 145, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: Balyeat, R. Brown, Sales.
Total 3

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 155, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 157, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 92

Noes: Dowell, Maedje, Malcolm, Pattison, Rice, Ross, Smith, Waitschies.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 161, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 169, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Balyeat, Bixby, D. Brown, R. Brown, Everett, Golie, Kasten, Pattison, Sales, Sinrud, Thomas, Waitschies.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 170, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser,

Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Gallus.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 171, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Juneau.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 179, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Gallus, Wilson.
Total 2

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 183, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 210, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 218, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Balyeat, Sales.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 220, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Bixby, Gallus, Jayne, Juneau.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 222, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker,

Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Jayne, Juneau.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 224, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Keane, Newman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 237, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Carney, E. Clark, Cohenour, Cyr, Devlin, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Haines, Hawk, Hedges, Hurwitz, Jacobson, Jent, Lake, Lambert, Lange, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Rome, Ross, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Weiss, Mr. Speaker.
Total 65

Noes: Ballantyne, Balyeat, R. Brown, Callahan, P. Clark, Dickenson, Dowell, Erickson, Franklin, Golie, Gutsche, Harris, Jackson, Jayne, Juneau, Kasten, Kaufmann, Keane, Laslovich, Laszloffy, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Ryan, Sales, Sinrud, Wagman, Wanzenried, Wilson, Windy Boy, Witt, Younkin.
Total 35

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 269, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Buzzas, Dickenson, Sinrud, Wilson.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 303, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Fuchs, Gallus, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 66

Noes: Ballantyne, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 34

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 337, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: D. Brown.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 481, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 93

Noes: Balyeat, Dowell, Hawk, Kasten, Maedje, Sales, Shockley.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 499, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Sales, Schrumpf, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy,

Witt, Younkin, Mr. Speaker.
Total 89

Noes: D. Brown, Fuchs, Jackson, Lake, Laszloffy, Maedje, Rice, Ross, Ryan, Shockley, Sinrud.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 527, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Devlin, Everett, Fisher, Forrester, Fuchs, Gallus, Gillan, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Witt, Younkin, Mr. Speaker.
Total 68

Noes: Bergren, Bixby, Branae, Buzzas, Callahan, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Musgrove, Raser, Small-Eastman, Smith, Wanzenried, Wilson, Windy Boy.
Total 32

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 532, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Buzzas.
Total 1

Excused: None.

Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative R. Brown moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on House amendments to **SB 126**. Motion carried.

The Speaker appointed the following members:

Representative Devlin, Vice Chair
Representative Waitschies
Representative Laslovich

Representative R. Brown moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **SB 57**. Motion carried.

The Speaker appointed the following members:

Representative Thomas, Vice Chair
Representative Lange
Representative Gallus

Representative R. Brown moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 107**. Motion carried.

The Speaker appointed the following members:

Representative A. Olson, Chair
Representative Lehman
Representative Galvin-Halcro

Representative R. Brown moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **HB 197**. Motion carried.

The Speaker appointed the following members:

Representative Noennig, Chair
Representative Thomas
Representative Becker

Representative R. Brown moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **HB 201**. Motion carried.

The Speaker appointed the following members:

Representative D. Brown, Chair

Representative Wagman
Representative Jent

Representative R. Brown moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 259**. Motion carried.

The Speaker appointed the following members:

Representative Maedje, Chair
Representative Lake
Representative Gallik

Representative R. Brown moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 277**. Motion carried.

The Speaker appointed the following members:

Representative Younkin, Chair
Representative Haines
Representative Lindeen

Representative R. Brown moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **HB 298**. Motion carried.

The Speaker appointed the following members:

Representative Younkin, Chair
Representative Noennig
Representative Jacobson

Representative R. Brown moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **HB 304**. Motion carried.

The Speaker appointed the following members:

Representative A. Olson, Chair
Representative Rice
Representative Ryan

Representative R. Brown moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **HB 308**. Motion carried.

The Speaker appointed the following members:

Representative Shockley, Chair
Representative Stoker
Representative Musgrove

Representative R. Brown moved that the Speaker be authorized to appoint a Conference Committee to meet with a

like committee from the Senate to confer on Senate amendments to **HB 642**. Motion carried.

The Speaker appointed the following members:

Representative Devlin, Chair
Representative Lambert
Representative Golie

Representative Bixby inquired about her letter to the Speaker declining her appointment to the Free Conference Committee on **HB 211**. The Speaker accepted her refusal to serve and was going to appoint Representative Juneau to the free conference committee on **HB 211.**

Representative Juneau requested on **HB 435, with Senate Amendments**, second reading today, that her vote be recorded as yes. There being no objection, so ordered.

SPECIAL ORDERS OF THE DAY

The Speaker asked Representative Jacobson to lead the house in singing Happy Birthday to Representative Gallus.

The following bill was removed from the consent calendar: **SB 454**.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Wednesday, April 9, 2003. Motion carried.

House adjourned at 3:32 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House

HOUSE JOURNAL
58TH LEGISLATURE
SEVENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana — House Chambers
April 10, 2003 — State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Malcolm. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Gallus, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 4/10/2003
Correctly printed: **SB 89**, **SB 384**, **SB 399**, **SB 458**.
Correctly engrossed: **SB 294**.
Correctly enrolled: **HB 17**, **HB 20**, **HB 40**, **HB 50**, **HB 54**, **HB 67**, **HB 76**, **HB 98**, **HB 104**, **HB 110**, **HB 123**, **HB 134**, **HB 145**, **HB 157**, **HB 161**, **HB 170**, **HB 171**, **HB 183**, **HB 210**, **HB 222**, **HB 224**, **HB 237**, **HB 269**, **HB 303**, **HB 337**, **HB 481**, **HB 499**, **HB 527**, **HB 532**.
Examined by the sponsor and found to be correct: **HB 17**, **HB 20**, **HB 40**, **HB 50, HB 54**, **HB 67, HB 76**, **HB 98**, **HB 104**, **HB 110, HB 123, HB 134**, **HB 145**, **HB 157, HB 161**, **HB 170**, **HB 171**, **HB 183, HB 210, HB 222**, **HB 224, HB 237**, **HB 269**, **HB 303**, **HB 337, HB 481**, **HB 499**, **HB 527, HB 532**.
Signed by the Speaker at 8:45 a.m., April 10, 2003: **HB 17**, **HB 20**, **HB 40**, **HB 50**, **HB 54**, **HB 67**, **HB 76**, **HB 98**, **HB 104**, **HB 110**, **HB 123**, **HB 134**.
Signed by the Speaker at 10:35 p.m., April 10, 2003: **HB 145**.
Delivered to the Governor for approval at 7:40 a.m., April 10, 2003: **HB 124**, **HB 569**, **HB 602**, **HB 663**.

NATURAL RESOURCES (Younkin, Chairman): 4/10/2003
HJR 43, be adopted. Report adopted.

TAXATION (Fuchs, Chairman): 4/10/2003
SB 407, be amended as follows:

1. Title, page 1, line 12.
Strike: "TEMPORARILY"

2. Title, page 1, line 13.
Strike: "DEPOSITING" through "FUND"
Insert: "REVISING THE DISTRIBUTION OF THE CIGARETTE TAX"

3. Page 1, line 26.
Strike: "40"
Insert: "39"

4. Page 7, line 23.
Strike: "5%"
Insert: "3%"

5. Page 7, line 24.
Strike: "9%"
Insert: "4%"

6. Page 8, line 9.
Strike: "5%"
Insert: "3%"

7. Page 8, line 10.
Strike: "9%"
Insert: "4%"

8. Page 8, line 29.
Strike: "40"
Insert: "39"

9. Page 9, line 22.
Strike: "40"
Insert: "39"

10. Page 10, line 4.
Strike: "40"
Insert: "39"

11. Page 10, line 7.
Strike: "40"
Insert: "39"

12. Page 10, line 14.
Strike: "40"
Insert: "39"

13. Page 10, line 16.
Strike: "40"
Insert: "39"

14. Page 10, line 18.
Strike: "40"
Insert: "39"

15. Page 13, line 17.
Strike: "40"
Insert: "39"

16. Page 13, line 19.
Strike: "40"
Insert: "39"

17. Page 13, line 25.
Strike: "40"
Insert: "39"

18. Page 14, line 2.
Strike: "40"
Insert: "39"

19. Page 14, line 10.
Strike: "40"
Insert: "39"

20. Page 14, line 20.
Strike: "40"
Insert: "39"

21. Page 14, line 25.
Strike: "40"
Insert: "39"
Strike: "28"
Insert: "27"

22. Page 14, line 26.
Strike: "40"
Insert: "39"

23. Page 15, line 4.
Strike: "40"
Insert: "39"

24. Page 15, line 26.
Strike: "40"
Insert: "39"

25. Page 15, line 27.
Strike: "28"
Insert: "27"

26. Page 15, line 28.
Strike: "40"
Insert: "39"

27. Page 16, line 6.
Strike: "40"
Insert: "39"

28. Page 16, lines 9 through 16.
Strike: section 24 in its entirety
Renumber: subsequent sections

29. Page 16, line 19.
Strike: "20th"
Insert: "last"

30. Page 16, line 20.
Strike: "40"
Insert: "39"

31. Page 16, line 23.
Strike: "40"
Insert: "39"

32. Page 17, line 6.
Strike: "40"
Insert: "39"

33. Page 17, line 7.
Strike: "40"
Insert: "39"

34. Page 17, line 9.
Strike: "40"
Insert: "39"

35. Page 17, lines 23 and 24.
Strike: subsection (6) in its entirety

36. Page 17, line 27.
Strike: "on an accrual basis"
Strike: "25"
Insert: "24"

37. Page 18, line 13.
Strike: "25"
Insert: "24"

38. Page 19, line 4.
Strike: "40"
Insert: "39"

39. Page 19, line 8.
Strike: "25"
Insert: "24"

40. Page 19, line 27.
Strike: "40"
Insert: "39"

41. Page 19, line 28.
Strike: "40"
Insert: "39"

42. Page 20, line 13.

Strike: "40"
Insert: "39"

43. Page 20, line 22.
Strike: "40"
Insert: "39"

44. Page 21, line 5.
Strike: "40"
Insert: "39"

45. Page 21, line 7.
Strike: "40"
Insert: "39"

46. Page 21, line 9.
Strike: "40"
Insert: "39"

47. Page 21, line 13.
Following: line 13
Strike: "40"
Insert: "39"
Following: "~~41~~"
Strike: "40"
Insert: "39"

48. Page 21, line 19.
Strike: "40"
Insert: "39"

49. Page 21, line 25.
Strike: "40"
Insert: "39"

50. Page 22, line 15.
Strike: "40"
Insert: "39"

51. Page 22, line 21.
Strike: "40"
Insert: "39"

52. Page 22, line 22.
Strike: "40"
Insert: "39"

53. Page 22, line 27.

Strike: "40"
Insert: "39"

54. Page 23, line 7.
Strike: "40"
Insert: "39"

55. Page 23, line 11.
Strike: "40"
Insert: "39"

56. Page 23, line 17.
Strike: "40"
Insert: "39"

57. Page 38, line 19.
Following: "**taxes.**"
Insert: "(1)"

58. Page 38, line 21.
Strike: "(1)"
Insert: "(a)"

59. Page 38, line 22.
Strike: "3.1%"
Insert: "8.3% or $2 million, whichever is greater,"

60. Page 38, line 24 through line 25.
Strike: subsection (2) in its entirety

61. Page 38, line 26.
Strike: "(3)"
Insert: "(b)"

62. Page 38, line 27.
Following: "~~AND~~"
Insert: "; and"

(c) the remainder to the state general fund

63. Page 38.
Following: line 29
Insert: "(2) If money in the state special revenue fund for the operation and maintenance of state veterans' nursing homes exceeds $2 million at the end of the fiscal year, the excess must be transferred to the state general fund."

64. Page 40, line 20.
Following: "~~YEAR~~"
Insert: ", that exceeds the number of stamped cigarettes and cigarette tax insignia held in inventory by the cigarette wholesale dealer, retail dealer, or vending machine operator at the close of its most recently concluded income tax reporting year"

65. Page 40, line 27.
Strike: "40"
Insert: "39"

66. Page 40, line 28.
Strike: "40"
Insert: "39"

67. Page 40, line 29.
Strike: "41"
Insert: "40"

68. Page 40, line 30.
Strike: "41"
Insert: "40"

69. Page 41, line 3.
Strike: "41"
Insert: "40"
Strike: "48"
Insert: "47"

70. Page 41, line 14.
Strike: "41"
Insert: "40"
Strike: "48"
Insert: "47"

71. Page 41, line 24.
Strike: "41"
Insert: "40"
Strike: "43"
Insert: "42"
Strike: "46"
Insert: "45"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

4/9/2003

HB 701, introduced by Newman

HB 259 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 259:**

4/9/2003

Senator DePratu, Chair
Senator Cocchiarella

Senator Curtiss

HB 308 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 308:**

4/9/2003

Senator O'Neil, Chair
Senator Cromley
Senator Pease

HB 197 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 197:**

4/9/2003

Senator Perry, Chair
Senator Curtiss
Senator Mangan

SB 57 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 57:**

4/9/2003

Senator Wheat, Chair
Senator Keenan
Senator Mangan

MESSAGES FROM THE GOVERNOR

April 9, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 287** sponsored by Representative Lindeen et al., **House Bill 389** sponsored by Representative Gibson, **House Bill 438** sponsored by Representative Forrester et al., **House Bill 496** sponsored by Representative Becker et al., **House Bill 507** sponsored by Representative Brueggeman, **House Bill 684** sponsored by Representative A. Olson, **House Bill 686** sponsored by Representative Bergren et al., and **House Bill 731** sponsored by Representative Lehman on April 9, 2003.

Sincerely,

JUDY MARTZ
Governor

April 10, 2003

The Honorable Doug Mood

Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 220** sponsored by Representative Laszloffy on April 10, 2003.

Sincerely,

JUDY MARTZ
Governor

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Brown moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Golie in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 271 - Representative Brueggeman moved **SB 271** be concurred in. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Devlin, Dickenson, Erickson, Everett, Facey, Fisher, Fritz, Fuchs, Gallik, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Witt, Younkin, Mr. Speaker.
Total 71

Noes: Ballantyne, Bixby, Branae, Buzzas, Callahan, Cohenour, Cyr, Dowell, Forrester, Franklin, Galvin-Halcro, Gibson, Gillan, Golie, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Musgrove, Parker, Raser, Ryan, Small-Eastman, Smith, Weiss, Windy Boy.
Total 28

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 648 - **Senate Amendments** - Representative Younkin moved Senate amendments to **HB 648** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie,

Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 667 - Senate Amendments - Representative Harris moved Senate amendments to **HB 667** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Gutsche.
Total 1

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 669 - Senate Amendments - Representative Younkin moved Senate amendments to **HB 669** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis,

Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Barrett, D. Brown, Buzzas, Dickenson, Franklin, Fuchs, Galvin-Halcro, Golie, Kaufmann, Rice, Ripley.
Total 11

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Wanzenried.
Total 1

HB 676 - **Senate Amendments** - Representative Lindeen moved Senate amendments to **HB 676** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 92

Noes: P. Clark, Erickson, Franklin, Fuchs, Gutsche, Kaufmann, Maedje.
Total 7

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

HB 677 - **Senate Amendments** - Representative Lindeen moved Senate amendments to **HB 677** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews,

McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Pattison, Peterson, Raser, Rice, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: B. Olson, Ripley.
Total 2

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Gillan, Jent.
Total 2

HB 698 - Senate Amendments - Representative Gillan moved Senate amendments to **HB 698** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: Becker, Harris.
Total 2

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Brueggeman.
Total 1

HB 733 - Senate Amendments - Representative Schrumpf moved Senate amendments to **HB 733** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice,

Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Bookout-Reinicke, Galvin-Halcro.
Total 2

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 734 - **Senate Amendments** - Representative Lawson moved Senate amendments to **HB 734** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Balyeat.
Total 1

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 4 - **Senate Amendments** - Representative Lange moved Senate amendments to **HJR 4** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 86

Noes: Barrett, Buzzas, P. Clark, Franklin, Gallik, Gutsche, Harris, Kaufmann, Lake, Newman, Raser, Waitschies, Weiss.
Total 13

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Shockley.
Total 1

HJR 8 - Senate Amendments - Representative Juneau moved Senate amendments to **HJR 8** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Hawk, Lake, Malcolm, Morgan, Weiss.
Total 5

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 17 - Senate Amendments - Representative Peterson moved Senate amendments to **HJR 17** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Weiss.
Total 1

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 538 - Senate Amendments - Representative Rome moved Senate amendments to **HB 538** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Golie, Jayne.
Total 2

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 87 - Governor's Amendments - Representative Jent moved Governor's amendments to **HB 87** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.

Total 0

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 408 - Governor's Amendments - Representative Peterson moved Governor's amendments to **HB 408** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke, Jent, Laszloffy.
Total 3

HB 441 - Governor's Amendments - Representative Cyr moved Governor's amendments to **HB 441** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Lindeen.
Total 1

HB 512 - Senate Amendments - Representative Sinrud moved Senate amendments to **HB 512** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: Golie.
Total 1

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke, Franklin.
Total 2

HB 517 - Senate Amendments - Representative Wilson moved Senate amendments to **HB 517** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: P. Clark.
Total 1

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke.
Total 1

HB 545 - Senate Amendments - Representative Haines moved Senate amendments to **HB 545** be concurred in. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Gibson, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Younkin, Mr. Speaker.
Total 84

Noes: Ballantyne, Cohenour, Dickenson, Gallik, Galvin-Halcro, Golie, Kaufmann, Lindeen, Musgrove, Smith, Weiss, Windy Boy.
Total 12

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Gillan, Jayne, Peterson, Witt.
Total 4

HB 609 - Senate Amendments - Representative Windy Boy moved Senate amendments to **HB 609** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Gallus, Aye.

Excused: None.

Total 0

Absent or not voting: Musgrove.
Total 1

HB 640 - Senate Amendments - Representative Haines moved Senate amendments to **HB 640** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Dowell, Everett, Fisher, Forrester, Fuchs, Gallus, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jent, Juneau, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 74

Noes: Buzzas, Callahan, Cohenour, Erickson, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Jacobson, Jayne, Kaufmann, Keane, Lindeen, Newman, Parker, Ryan, Small-Eastman, Smith, Weiss, Wilson.
Total 24

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Facey, Lenhart.
Total 2

HB 94 - Governor's Amendments - Representative Lawson moved Governor's amendments to **HB 94** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Callahan, Gallik, Kaufmann, Newman.
Total 4

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Bixby.
Total 1

HB 152 - Senate Amendments - Representative Fisher moved Senate amendments to **HB 152** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 89

Noes: Buzzas, Franklin, Galvin-Halcro, Jayne, Juneau, Lindeen, Ryan, Weiss.
Total 8

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Bitney, Bookout-Reinicke, McKenney.
Total 3

HB 159 - Senate Amendments - Representative Haines moved Senate amendments to **HB 159** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Bixby, Buzzas, Callahan, Franklin, Galvin-Halcro, Golie, Kaufmann, Lindeen, Rice, Wilson, Windy Boy.
Total 11

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Lehman.

Total 1

HB 199 - Senate Amendments - Representative Harris moved Senate amendments to **HB 199** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Franklin.
Total 1

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 424 - **Senate Amendments** - Representative Jent moved Senate amendments to **HB 424** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 484 - **Senate Amendments** - Representative R. Brown moved Senate amendments to **HB 484** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Fisher.
Total 1

HB 641 - **Senate Amendments** - Representative Haines moved Senate amendments to **HB 641** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Callahan, Carney, E. Clark, Cohenour, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 85

Noes: Balyeat, Bookout-Reinicke, Brueggeman, Buzzas, P. Clark, Cyr, Franklin, Galvin-Halcro, Gillan, Gutsche, Harris, Jayne, Keane, Lewis, B. Olson.
Total 15

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 680 - **Senate Amendments** - Representative Noennig moved Senate amendments to **HB 680** be **not** concurred in.

Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: McKenney.
Total 1

HJR 29 - **Senate Amendments** - Representative Dowell moved Senate amendments to **HJR 29** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 91

Noes: Balyeat, Callahan, Cyr, Jent, Lake, Laszloffy, Malcolm, Sales, Weiss.
Total 9

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 31 - **Senate Amendments** - Representative Facey moved Senate amendments to **HJR 31** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Callahan, Everett, Fisher, Jent, Lake, Maedje, Mendenhall, Morgan, Rice, Ripley, Weiss.
Total 11

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke.
Total 1

HJR 32 - Senate Amendments - Representative Haines moved Senate amendments to **HJR 32** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Franklin, Fuchs, Gallus, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 78

Noes: Bixby, Buzzas, Callahan, Cohenour, Dowell, Erickson, Fritz, Gallik, Galvin-Halcro, Gutsche, Harris, Jacobson, Jent, Juneau, Kaufmann, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 21

Voted Absentee: Gallus, Aye.

Excused: None.
Total 0

Absent or not voting: Jayne.
Total 1

Representative Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Golie moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Carney,

E. Clark, Cohenour, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gibson, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 73

Noes: Ballantyne, Buzzas, Callahan, P. Clark, Cyr, Dowell, Erickson, Franklin, Gallik, Galvin-Halcro, Gillan, Gutsche, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Newman, Ryan, Smith, Wanzenried, Weiss, Wilson.
Total 25

Excused: Gallus.
Total 1

Absent or not voting: Bookout-Reinicke.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 105, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

Noes: Balyeat, Franklin, Sales, Sinrud.
Total 4

Excused: Gallus.
Total 1

Absent or not voting: Bookout-Reinicke.
Total 1

HB 185, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz,

Jackson, Jacobson, Jent, Juneau, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.
Total 89

Noes: Balyeat, Franklin, Fuchs, Golie, Jayne, Kasten, Keane, Sales, Mr. Speaker.
Total 9

Excused: Gallus.
Total 1

Absent or not voting: Bookout-Reinicke.
Total 1

HB 223, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gibson, Gillan, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 85

Noes: Callahan, E. Clark, Devlin, Franklin, Galvin-Halcro, Golie, Gutsche, Harris, Jayne, Laslovich, Newman, Parker, Weiss, Wilson.
Total 14

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 253, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 266, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Becker, Bitney, Bixby, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Franklin, Fritz, Fuchs, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Roberts, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Wagman, Wanzenried, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 69

Noes: Balyeat, Barrett, Bergren, Branae, Buzzas, Cohenour, Everett, Forrester, Gallik, Gutsche, Jackson, Jacobson, Jayne, Kasten, Lenhart, Lewis, Matthews, Morgan, Musgrove, Pattison, Raser, Rice, Ripley, Rome, Sales, Sinrud, Steinbeisser, Waitschies, Weiss, Witt.
Total 30

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 270, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Ross, Ryan, Sales, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 81

Noes: Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Everett, Fisher, Kasten, Lake, Laszloffy, Morgan, Pattison, Rice, Ripley, Rome, Sinrud, Thomas.
Total 18

Excused: Gallus.
Total 1

Absent or not voting: None.

Total 0

HB 338, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt.
Total 79

Noes: Balyeat, Barrett, Bitney, D. Brown, R. Brown, Everett, Fisher, Fuchs, Kasten, Lake, Laszloffy, Malcolm, Morgan, Rice, Ripley, Sales, Sinrud, Wagman, Younkin, Mr. Speaker.
Total 20

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 396, **as amended by the Senate**, passed as follows:

Ayes: Ballantyne, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Jacobson, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Matthews, Musgrove, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Stoker, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 71

Noes: Andersen, Balyeat, Barrett, D. Brown, R. Brown, E. Clark, Devlin, Everett, Hawk, Hurwitz, Jackson, Jayne, Kasten, Lake, Laszloffy, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Newman, Pattison, Rice, Ripley, Ross, Steinbeisser, Wagman, Waitschies.
Total 28

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 410, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Haines, Harris,

Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: Golie, Gutsche.
Total 2

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 451, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Dickenson, Everett, Fisher, Forrester, Fritz, Fuchs, Galvin-Halcro, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Juneau, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Witt, Younkin, Mr. Speaker.
Total 70

Noes: Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dowell, Erickson, Facey, Franklin, Gallik, Gibson, Gillan, Gutsche, Harris, Jacobson, Jayne, Kaufmann, Keane, Lindeen, Newman, Parker, Raser, Ryan, Smith, Wanzenried, Weiss, Windy Boy.
Total 29

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 468, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Balyeat, Everett, Roberts, Steinbeisser.
Total 4

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 521, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 90

Noes: Buzzas, Callahan, Franklin, Galvin-Halcro, Gillan, Kaufmann, Lindeen, B. Olson, Parker.
Total 9

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 525, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Bixby, Lawson, Raser, Sinrud.
Total 4

Excused: Gallus.
Total 1

Absent or not voting: None.

Total 0

HB 537, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Everett, Fisher, Forrester, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 89

Noes: Bixby, Cyr, Erickson, Facey, Franklin, Gutsche, Harris, Kaufmann, Laszloffy, Weiss.
Total 10

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 540, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Rome, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 86

Noes: E. Clark, Devlin, Kasten, Lange, Laszloffy, Pattison, Rice, Ripley, Ross, Sales, Sinrud, Wagman, Waitschies.
Total 13

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 553, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson,

Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Rome, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.
Total 84

Noes: Balyeat, Devlin, Fuchs, Kasten, Laszloffy, Pattison, Rice, Ripley, Ross, Sales, Sinrud, Steinbeisser, Wagman, Waitschies, Mr. Speaker.
Total 15

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 556, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 89

Noes: Fuchs, Gutsche, Harris, Jent, Keane, Lake, Morgan, Newman, Sales, Wilson.
Total 10

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 563, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 53

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Matthews, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 46

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 577, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, Cohenour, Devlin, Dickenson, Everett, Fisher, Forrester, Fritz, Fuchs, Gallik, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Witt, Younkin, Mr. Speaker.
Total 71

Noes: Bixby, Branae, Buzzas, Carney, P. Clark, Cyr, Dowell, Erickson, Facey, Franklin, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Raser, Small-Eastman, Smith, Weiss, Wilson, Windy Boy.
Total 28

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

HB 588, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: Galvin-Halcro, Sales.
Total 2

Excused: Gallus.
Total 1

Absent or not voting: None.
Total 0

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **House Bill 211**
Report No. 1, April 10, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 211** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 211** (reference copy -- salmon) be amended as follows:

1. Title, line 13.
Following: "HEARINGS;"
Insert: "REQUIRING AN INTERIM REPORT ON DISPOSITION OF NATIVE AMERICAN PAROLE APPLICATIONS;"

2. Page 8, line 17.
Following: line 16
Insert: "NEW SECTION. **Section 16. Interim report.** During the biennium beginning July 1, 2003, the board of pardons and parole shall report to the law and justice interim committee of the legislature on the disposition of parole applications made by Native Americans, including the reasons for approval or denial of parole, during the period of January 1, 1999, through March 31, 2004. The report must be made before July 1, 2004, and must be included in the board's biennial report."
Renumber: subsequent section

For the House:	For the Senate:
Laszloffy, Chairman	McGee, Chairman
Everett	Curtiss
	Pease

MOTIONS

Representative R. Brown moved the Speaker be authorized to dissolve the conference committee and reappoint a Free Conference Committee to meet with a like committee from the Senate on **SB 126**. Motion carried.

The Speaker appointed the following members:

Representative Devlin, Chair
Representative Waitschies
Representative Laslovich

Representative R. Brown moved the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate amendments to **HJR 31**. Motion carried.

The Speaker appointed the following members:

Representative Thomas, Chair
Representative Stoker
Representative Facey

Representative R. Brown moved the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 424**. Motion carried.

The Speaker appointed the following members:

Representative Bitney, Chair
Representative Roberts
Representative Jent

Representative R. Brown moved the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 680**. Motion carried.

The Speaker appointed the following members:

Representative Noennig, Chair
Representative Younkin
Representative Becker

Representative Bergren moved **SB 422** be taken from the table in the Committee on Transportation and be placed on second reading Legislative Day 78. Motion (requiring a 3/5 vote) **failed** as follows:

Ayes: Ballantyne, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lambert, Laslovich, Lehman, Lenhart, Lindeen, Maedje, Matthews, Musgrove, Newman, Parker, Peterson, Raser, Ripley, Roberts, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Witt.
Total 55

Noes: Andersen, Balyeat, Bitney, D. Brown, R. Brown, Brueggeman, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lange, Laszloffy, Lawson, Lewis, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Rice, Rome, Ross, Sales, Schrumpf, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Younkin, Mr. Speaker.
Total 42

Excused: Gallus.
Total 1

Absent or not voting: Keane, Shockley.
Total 2

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Friday, April 11, 2003. Motion carried.

House adjourned at 3:25 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House

HOUSE JOURNAL
58TH LEGISLATURE
SEVENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana — House Chambers
April 11, 2003 — State Capitol

House convened at 1:03 p.m. Mr. Speaker in the Chair. Invocation by Representative R. Brown. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ripley, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

A PROCLAMATION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA

WHEREAS, Parkinson's disease, a progressive disorder of the central nervous system, affects more than one million people in the United States; and

WHEREAS, there is treatment to ease the symptoms, but there is not yet a cure; and

WHEREAS, the American Parkinson Disease Association, Inc., founded in 1961, has sought to "Ease the Burden and Find the Cure" for this disease through research, patient and family services, education and sponsorship of 65 chapters, 57 information and referral centers, and 800 support groups throughout the United States; and

WHEREAS, April 11th marks the birthday of Dr. James Parkinson who first recognized the disease now named for him; and

WHEREAS, the world and the nation will observe "Parkinson's Disease Awareness Month" in April 2003;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA: that April 2003 be proclaimed as Parkinson's Disease Awareness Month in the state of Montana.

Signed by Senator Bob Keenan, President of the Senate and Representative Doug Mood, Speaker of the House.

A PROCLAMATION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA

WHEREAS, the Cut Bank Wolves Basketball team are the 2003 State Class B Champions; and

WHEREAS, the Cut Bank Wolves, during the 2003 season, were undefeated, chalking up the amazing and enviable record of 27-0; and

WHEREAS, the Cut Bank Wolves' coach, Brian Kavanagh, after 13 years as head coach, has the distinguished overall record of 232-99, a 70% winning average with six state tournament appearances; and

WHEREAS, the Cut Bank Wolves basketball team during that time achieved the rank of State Champions in both 1993 and 2003, and runner-up in 1998 and 2000, qualifying for State five out of the last six years; and

WHEREAS, the Wolves basketball team has the honor of being overall State Champions for the following years:

1937, 1938, 1957, 1966, 1993 and 2003.

WHEREAS, the Cut Bank Wolves, through their hard work and spirit of fair-play, have set a fine example of those qualities which all students in Montana strive to achieve.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA: that the congratulations of all Montanans be extended to the members and coaches of the Cut Bank Wolves and their coach, Brian Kavanagh, for the honor they have achieved and the exceptional qualities thay have exhibited throughout this season..

Signed by President Keenan, Speaker Mood, Senator Roush, Representative Juneau, and Representative Ballantyne.

A PROCLAMATION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA

WHEREAS, Carol Ann Cooke of Bozeman was named National Elementary Physical Education Teacher of the Year on April 3, 2003 in Philadelphia; and

WHEREAS, the National Association for Sport and Physical Education gives these awards in recognition of outstanding performance and the ability to motivate today's youth to participate in a lifetime of physical activity; and

WHEREAS, the National Association for Sport and Physical Education is an organization of over 25,000 professionals in the fitness field; and

WHEREAS, Carol Ann Cooke was named Montana's Physical Education Teacher of the Year in 2001, followed by being named the Northwest District Teacher of the Year in 2002; and

WHEREAS, Carol is a native of Big Sandy who has been teaching fitness to children at Emily Dickenson Elementary School in Bozeman for 16 years.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA: that the congratulations of all Montanans be extended to Carol Ann Cooke for receiving this national recognition.

Signed by President Keenan, Speaker Mood, Senator Stonington, and Representative Harris.

SPECIAL ORDERS OF THE DAY

Mr. Speaker introduced Baktybek Abdrisaev, Ambassador of the Kyrgyz Republic to the United States. The Ambassador then gave a brief speech and thanked the House for such a warm welcome. Mr. Speaker thanked the Ambassador for traveling such a great distance to visit our state.

BILLS (Bookout-Reinicke, Chairman): 4/11/2003
Correctly printed: **HJR 43**.
Correctly engrossed: **SB 407**.
Correctly enrolled: **HB 127**, **HB 130**, **HB 141**, **HB 155**, **HB 169**, **HB 179**, **HB 203**, **HB 218**, **HB 247**, **HB 256, HB 289, HB 292, HB 299, HB 315, HB 317**, **HB 358**, **HB 385**, **HB 388**, **HB 435**, **HB 437**, **HB 453**, **HB 478**, **HB 480, HB 573, HB 584**, **HB 610, HB 618, HB 647**, **HB 653, HB 681, HB 703**.
Examined by the sponsor and found to be correct: **HB 126**, **HB 127**, **HB 130**, **HB 141**, **HB 155**, **HB 169**, **HB 179**,

HB 203, **HB 218**, **HB 247**, **HB 317**, **HB 358**, **HB 385**, **HB 388**, **HB 435**, **HB 437**, **HB 453**, **HB 478**, **HB 584**, **HB 647**, **HB 653**.

Signed by the Speaker at 8:45 a.m., April 10, 2003: **HB 17**, **HB 20**, **HB 40**, **HB 50**, **HB 54**, **HB 67**, **HB 76**, **HB 98**, **HB 104**, **HB 110**, **HB 123**, **HB 134**, **HB 157**, **HB 161**, **HB 170**, **HB 171**, **HB 183**, **HB 210**, **HB 222**, **HB 224**, **HB 237**, **HB 269**, **HB 303**, **HB 337**, **HB 481**, **HB 499**, **HB 527**, **HB 532**.

Signed by the Speaker at 10:35 a.m., April 10, 2003: **HB 145**.

Signed by the Speaker at 11:30 a.m., April 11, 2003: **HB 127**, **HB 130**, **HB 141**, **HB 155**, **HB 169**, **HB 179**, **HB 203**, **HB 218**, **HB 247**, **HB 317**, **HB 358**, **HB 385**, **HB 388**, **HB 435**, **HB 437**, **HB 453**, **HB 478**, **HB 584**, **HB 647**, **HB 653**.

Delivered to the Governor for approval at 7:35 a.m., April 11, 2003: **HB 17**, **HB 20**, **HB 40**, **HB 50**, **HB 54**, **HB 67**, **HB 76**, **HB 98**, **HB 104**, **HB 110**, **HB 123**, **HB 134**, **HB 145**, **HB 157**, **HB 161**, **HB 170**, **HB 171**, **HB 183**, **HB 210**, **HB 222**, **HB 224**, **HB 237**, **HB 269**, **HB 303**, **HB 337**, **HB 481**, **HB 499**, **HB 527**, **HB 532**.

BUSINESS AND LABOR (McKenney, Chairman): 4/11/2003
HJR 44, be adopted. Report adopted.
SB 464, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

April 11, 2003

Marilyn Miller, Chief Clerk
Montana House of Representatives

I am directed by the Senate to request the return of **House Bill 90** by E. Clark, "Voluntary protective services and provisions for dismissal of cases" because of a staff error with a Committee of the Whole amendment. It is our intention to correct the error and return the corrected bill to the House for concurrence in the corrected version.

Rosana Skelton
Secretary of the Senate

House amendments to Senate bills concurred in: 4/10/2003

SB 13, introduced by Mahlum
SB 111, introduced by Nelson
SB 115, introduced by Mahlum

House amendments to Senate bill not concurred in: 4/10/2003

SB 326, introduced by McGee

House bill concurred in and returned to the House: 4/10/2003

HB 758, introduced by Devlin

Conference Committee Report No.1 adopted: 4/10/2003

HB 56, introduced by B. Thomas

HB 403, introduced by Keane
SB 47, introduced by Gebhardt

HB 107 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 107:**

4/10/2003

Senator Glaser, Chair
Senator Black
Senator Elliott

HB 201 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 201:**

4/10/2003

Senator Sprague, Chair
Senator Gebhardt
Senator Wheat

HB 277 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 277:**

4/10/2003

Senator Sprague, Chair
Senator Gebhardt
Senator McCarthy

HB 298 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 298:**

4/10/2003

Senator Gebhardt, Chair
Senator McGee
Senator Wheat

HB 642 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 642:**

4/10/2003

Senator Story, Chair
Senator Glaser
Senator Toole

SB 126 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **SB 126:**

4/11/2003

Senator Story, Chair
Senator Black
Senator Toole

MESSAGES FROM THE GOVERNOR

April 10, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 474** sponsored by Representative Weiss et al. on April 10, 2003.

Sincerely,

JUDY MARTZ
Governor

April 10, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Mood and President Keenan:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 693, "**AN ACT PROVIDING THAT CHILD SUPPORT OBLIGATIONS DETERMINED PURSUANT TO ADMINISTRATIVE PROCEDURE ARE EFFECTIVE IMMEDIATELY UPON SERVICE OF A NOTICE OF FINANCIAL RESPONSIBILITY ON THE PARENT OR PARENTS AND THAT FINAL ORDERS ARE RETROACTIVE TO THAT DATE; PROVIDING THAT A NOTICE OF FINANCIAL RESPONSIBILITY MUST INCLUDE A STATEMENT REGARDING ITS IMMEDIATE EFFECTIVENESS; AMENDING SECTION 40-5-225, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE**" for the following reasons.

House Bill No. 693 provides child support during the pendency of a child support establishment action before the Child Support Enforcement Division (CSED). This raises constitutional issues, specifically due process violations. The enforcement of private rights, including notice and right to a fair hearing before a tribunal with the power to decide a case, is paramount.

Currently, Montana law provides that an administrative child support order must be first adjudicated, with notice and opportunity for a hearing, prior to any enforcement action. Further, no enforcement is allowed until the final order is entered.

For these reasons, I recommend that House Bill No. 693, Section 40-5-225 (2)(c) in pertinent part read: The notice must include a statement that the monthly support obligation is effective on the date of service of the notice, *unless an objection is made and a hearing is requested,* and may be collected during the proceeding that establishes the

support obligation by any remedy available to the department for the enforcement of child support obligations.

I have enclosed my amendment to that effect. Please be advised that Representative Sinrud, the sponsor of the bill, has been informed of my recommendation and has no objection.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 693

1. Page 1, line 24.
Following: "notice"
Insert: ", unless an objection is made and a hearing is requested,"

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 45, introduced by Small-Eastman, referred to Natural Resources.

Majority Leader Brown moved that the House recess until 1:55 p.m. for caucuses. Motion carried.

House recessed at 1:26 p.m.

House reconvened at 1:58 p.m. All members present, except Representative Ripley, excused. Quorum present.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **House Bill 201**
Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 201** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 201** (reference copy -- salmon) be amended as follows:

1. Page 3, line 26.
Strike: "under this section"
Insert: "for a federal write-in absentee ballot"

2. Page 6, line 4.
Strike: ";"
Insert: ". This information is sufficient to meet any identification requirements provided by law for an elector."

3. Page 6, line 7.
Following: "ballot for"
Insert: "that election or for"

For the House:

D. Brown, Chairman
Jent
Wagman

For the Senate:

Sprague, Chairman
Gebhardt
Wheat

FREE CONFERENCE COMMITTEE
on **House Bill 259**
Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 259** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 259** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 6.
Following: "~~BORDER~~"
Insert: "BETWEEN THE CANADIAN BORDER AND REFERENCE MARKER 133 NORTHWEST OF WHITEFISH"

2. Page 1, line 12.
Following: "61-8-310,"
Strike: "AND"

3. Page 1, line 13.
Following: "~~section,~~"
Insert: "and subsection (2) of this section,"

4. Page 1.
Following: line 22
Insert: "(2) The speed limit for vehicles traveling on U.S. highway 93 between reference marker 133 northwest of Whitefish and the Idaho border is 65 miles an hour at all times. The speed limit imposed by this subsection ceases to be effective if U.S. highway 93 is upgraded to a continuous four-lane highway."
Renumber: subsequent subsections

5. Page 1, line 26.
Strike: "SUBSECTION"
Insert: "subsections"
Following: "~~(2)~~"
Insert: "and (2)"

6. Page 2, line 1.
Strike: "SUBSECTION"

Insert: "subsections"
Following: "~~(2)~~"
Insert: "and (2)"

For the House:

Maedje, Chairman
Gallik
Lake

For the Senate:

DePratu, Chairman
Cocchiarella
Curtiss

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 277**
Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 277** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 277** (reference copy -- salmon) be accepted by the House.

For the House:

Younkin, Chairman
Haines
Lindeen

For the Senate:

Sprague, Chairman
Gebhardt
McCarthy

FREE CONFERENCE COMMITTEE
on **House Bill 283**
Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 283** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 283** (reference copy -- salmon) be accepted by the House.

For the House:

Fuchs, Chairman
Balyeat
Jent

For the Senate:

Sprague, Chairman
McGee
Shea

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Brown moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Brueggeman in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 89 - Representative Carney moved **SB 89** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Ripley, Aye.

Excused: None.
Total 0

Absent or not voting: Laszloffy.
Total 1

SB 243 - Representative Sinrud moved **SB 243** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Ripley, Aye.

Excused: None.
Total 0

Absent or not voting: None.

Total 0

SB 314 - Representative Raser moved **SB 314** be concurred in.

Representative Raser moved **SB 314**, second reading copy, be amended as follows:

1. Page 2, line 9 through line 10.
Following: "THAT ARE" on line 9
Strike: "IN EXCESS" on line 9 through "THAN" on line 10
Insert: "deposited into the general fund, as provided in 2-4-603(1)(b), and that are unanticipated by revenue estimates adopted by the legislature for fiscal years 2004 and 2005, excluding tax audit collections, of up to"

Amendment adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Sales.
Total 1

Voted Absentee: Ripley, Aye.

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke, Jent, Maedje.
Total 3

Motion that **SB 314**, as amended, be concurred in carried as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Lawson, Lenhart, Lindeen, Matthews, Musgrove, Noennig, A. Olson, B. Olson, Parker, Raser, Roberts, Ross, Ryan, Schrumpf, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 55

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Forrester, Fuchs, Haines, Hawk, Hedges, Jackson, Kasten, Lake, Laszloffy, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Pattison, Peterson, Rice, Ripley, Rome, Sales, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 44

Voted Absentee: Ripley, No.

Excused: None.
Total 0

Absent or not voting: Newman.
Total 1

SB 424 - Representative Andersen moved **SB 424**, as amended, be concurred in.

Representative Lawson moved **SB 424**, second reading copy, be amended as follows:

1. Title, line 13.
Strike: the first "AN"
Strike: the first "DATE"
Insert: "DATES"
Strike: the second "AN"
Strike: the second "DATE"
Insert: "DATES"

2. Page 10.
Following: line 29
Insert: "NEW SECTION. **Section 9. Extension of school election deadlines.** In order to allow for the orderly and efficient conduct of the regular school elections scheduled for May 6, 2003, it may not be possible to comply with certain statutory deadlines relating to a school election. Therefore, in 2003 only, a school district may limit the regular school election scheduled for May 6, 2003, to trustee elections only and may reschedule a single general fund operating levy election at any time prior to the adoption of a final budget pursuant to 20-9-131. In addition, all statutory deadlines for the May 6, 2003, regular school election that fall on or before April 18 are extended to April 28, 2003, except that the timeline for posting the election notice is changed to April 28, 2003, through May 2, 2003."
Renumber: subsequent section

3. Page 11.
Following: line 2
Insert: "(3) [Sections 9, 11, and this section] are effective on passage and approval."
Insert: "NEW SECTION. **Section 11. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to actions taken by the trustees of a school district on or after March 27, 2003."

Amendment adopted as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: Balyeat, Everett.
Total 2

Voted Absentee: Ripley, Aye.

Excused: None.
Total 0

Absent or not voting: Newman.
Total 1

Representative Lawson moved **SB 424**, second reading copy, be further amended as follows:

1. Title, line 4.
Following: "FINANCE;"
Insert: "PROVIDING FOR ANNUAL INFLATION-RELATED ADJUSTMENTS TO THE BASE FUNDING PROGRAM AMOUNTS FOR SCHOOL DISTRICT BASIC ENTITLEMENTS AND PER-ANB ENTITLEMENTS;"

2. Title, line 13.
Strike: the first "AN"
Strike: the first "DATE"
Insert: "DATES"

3. Page 1.
Following: line 15
Insert: "NEW SECTION. **Section 1. Annual inflation-related adjustments to basic entitlements and per-ANB entitlements.** (1) The superintendent of public instruction shall determine the inflation factor for each school fiscal year by dividing the consumer price index for July 1 of the current school fiscal year by the consumer price index for July 1 of the prior school fiscal year.

(2) The present law base for K-12 public education, calculated under Title 17, chapter 7, part 1, must consist of any enrollment increases or decreases plus the inflation factor calculated pursuant to this section.

(3) For the purposes of this section, "consumer price index" means the consumer price index, U.S. city average, all urban consumers, for all items, using the 1982-84 base of 100, as published by the bureau of labor statistics of the U.S. department of labor."
Renumber: subsequent sections

4. Page 11, line 1.
Strike: "date"
Insert: "dates"
Strike: "[This"
Insert: "(1) Except as provided in subsections (2) and (3), [this"

5. Page 11.
Following: line 2
Insert: "(2) [Section 1] is effective July 1, 2005."

Amendment adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lenhart, Lindeen, Matthews, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 53

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, E. Clark, Devlin, Everett, Fisher, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 47

Voted Absentee: Ripley, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Facey moved **SB 424**, second reading copy, be further amended as follows:

1. Title, line 10.
Following: "DISTRICT;"
Insert: "REVISING BASE AID; INCLUDING 40 PERCENT OF THE SPECIAL EDUCATION ALLOWABLE COST PAYMENT IN THE DEFINITION OF "BASE AID"; PROVIDING A PER-EDUCATOR ENTITLEMENT OF $1,000 FOR EACH FULL-TIME EQUIVALENT EDUCATOR EMPLOYED BY A PUBLIC SCHOOL DISTRICT, A SPECIAL EDUCATION COOPERATIVE, THE MONTANA SCHOOL FOR THE DEAF AND BLIND, AND A STATE YOUTH CORRECTIONAL FACILITY; REQUIRING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO DISTRIBUTE THE PER-EDUCATOR ENTITLEMENT TO CERTAIN ENTITIES;"
Following: "SECTIONS"
Insert: " 20-9-306, 20-9-344,"

2. Title, line 13.
Following: "PROVIDING"
Strike: "AN"
Following: "EFFECTIVE"
Strike: "DATE"
Insert: "DATES"

3. Page 1, line 16.
"NEW SECTION. **Section 1. Per-educator entitlement paid to state-funded K-12 schools and special education cooperatives.** (1) (a) The state shall provide a total per-educator entitlement to:
(i) public school districts, as defined in 20-6-101 and 20-6-701;
(ii) special education cooperatives, as described in 20-7-451;
(iii) the Montana school for the deaf and blind, as described in 20-8-101; and
(iv) state youth correctional facilities, as defined in 41-5-103.

(b) A special education cooperative that has not met the requirements of 20-7-453 and 20-7-454 may not be funded under the provisions of this section except by approval of the superintendent of public instruction.

(2) The total per-educator entitlement for special education cooperatives, the Montana school for the deaf and blind, and state youth correctional facilities must be calculated as provided in 20-9-306 and distributed directly to those entities by the superintendent of public instruction.

Insert: "Section 2. Section 20-9-306, MCA, is amended to read:

"20-9-306. Definitions. As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

(1) "BASE" means base amount for school equity.

(2) "BASE aid" means:

(a) direct state aid for 44.7% of the basic entitlement and 44.7% of the total per-ANB entitlement for the general fund budget of a district; ~~and~~

(b) guaranteed tax base aid for an eligible district for any amount up to 35.3% of the basic entitlement, up to 35.3% of the total per-ANB entitlement budgeted in the general fund budget of a district, and ~~up to~~ 40% of the special education allowable cost payment; and

(c) the total per-educator entitlement.

(3) "BASE budget" means the minimum general fund budget of a district, which includes 80% of the basic entitlement, 80% of the total per-ANB entitlement, 100% of the total per-educator entitlement, and up to 140% of the special education allowable cost payment.

(4) "BASE budget levy" means the district levy in support of the BASE budget of a district, which may be supplemented by guaranteed tax base aid if the district is eligible under the provisions of 20-9-366 through 20-9-369.

(5) "BASE funding program" means the state program for the equitable distribution of the state's share of the cost of Montana's basic system of public elementary schools and high schools, through county equalization aid as provided in 20-9-331 and 20-9-333 and state equalization aid as provided in 20-9-343, in support of the BASE budgets of districts and special education allowable cost payments as provided in 20-9-321.

(6) "Basic entitlement" means:

(a) $213,819 for each high school district;

(b) $19,244 for each elementary school district or K-12 district elementary program without an approved and accredited junior high school or middle school; and

(c) the prorated entitlement for each elementary school district or K-12 district elementary program with an approved and accredited junior high school or middle school, calculated as follows:

(i) $19,244 times the ratio of the ANB for kindergarten through grade 6 to the total ANB of kindergarten through grade 8; plus

(ii) $213,819 times the ratio of the ANB for grades 7 and 8 to the total ANB of kindergarten through grade 8.

(7) "Direct state aid" means 44.7% of the basic entitlement and 44.7% of the total per-ANB entitlement for the general fund budget of a district and funded with state and county equalization aid.

(8) "Maximum general fund budget" means a district's general fund budget amount calculated from the basic entitlement for the district, the total per-ANB entitlement for the district, the total per-educator entitlement for the district, and the greater of:

(a) 175% of special education allowable cost payments; or

(b) the ratio, expressed as a percentage, of the district's special education allowable cost expenditures to the district's special education allowable cost payment for the fiscal year that is 2 years previous, with a maximum allowable ratio of 200%.

(9) "Over-BASE budget levy" means the district levy in support of any general fund amount budgeted that is above the BASE budget and below the maximum general fund budget for a district.

(10) "Total per-ANB entitlement" means the district entitlement resulting from the following calculations:

(a) for a high school district or a K-12 district high school program, a maximum rate of $5,205 for the first ANB is decreased at the rate of 50 cents per ANB for each additional ANB of the district up through 800 ANB, with

each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB;

(b) for an elementary school district or a K-12 district elementary program without an approved and accredited junior high school or middle school, a maximum rate of $3,906 for the first ANB is decreased at the rate of 20 cents per ANB for each additional ANB of the district up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(c) for an elementary school district or a K-12 district elementary program with an approved and accredited junior high school or middle school, the sum of:

(i) a maximum rate of $3,906 for the first ANB for kindergarten through grade 6 is decreased at the rate of 20 cents per ANB for each additional ANB up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(ii) a maximum rate of $5,205 for the first ANB for grades 7 and 8 is decreased at the rate of 50 cents per ANB for each additional ANB for grades 7 and 8 up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB.

(11) "Total per-educator entitlement" means the entitlement resulting from multiplying $1,000 by the number of full-time equivalent educators, as reported to the office of public instruction for accreditation purposes in the previous school year, each of whom:

(a) holds a valid certificate under the provisions of 20-4-106 and is employed by an entity listed in [section 1] in a position that requires an educator license in accordance with the administrative rules adopted by the board of public education; or

(b) (i) is a licensed professional under 37-8-405, 37-8-415, 37-11-301, 37-15-301, 37-23-201, 37-24-301, or 37-25-302; and

(ii) is employed by an entity listed in [section 1] to provide services to students."""

Insert: "Section 3. Section 20-9-344, MCA, is amended to read:

"20-9-344. Duties of board of public education for distribution of BASE aid. (1) The board of public education shall administer and distribute the BASE aid and state advances for county equalization in the manner and with the powers and duties provided by law. To this end, the board of public education ~~shall~~:

(a) shall adopt policies for regulating the distribution of BASE aid and state advances for county equalization in accordance with the provisions of law;

(b) must have the power to require reports from the county superintendents, budget boards, county treasurers, and trustees ~~as~~ that it considers necessary; and

(c) shall order the superintendent of public instruction to distribute the BASE aid on the basis of each district's annual entitlement to the aid as established by the superintendent of public instruction. In ordering the distribution of BASE aid, the board of public education may not increase or decrease the BASE aid distribution to any district on account of any difference that may occur during the school fiscal year between budgeted and actual receipts from any other source of school revenue.

(2) The board of public education may order the superintendent of public instruction to withhold distribution of BASE aid from a district when the district fails to:

(a) submit reports or budgets as required by law or rules adopted by the board of public education; or

(b) maintain accredited status.

(3) Prior to any proposed order by the board of public education to withhold distribution of BASE aid or county equalization money, the district is entitled to a contested case hearing before the board of public education, as provided under the Montana Administrative Procedure Act.

(4) If a district or county receives more BASE aid than it is entitled to, the county treasurer shall return the overpayment to the state upon the request of the superintendent of public instruction in the manner prescribed by the superintendent of public instruction.

(5) Except as provided in 20-9-347(2), the BASE aid payment must be distributed according to the following schedule:

(a) from August to October of the school fiscal year, 10% of the direct state aid and total per-educator entitlement to each district;

(b) from December to April of the school fiscal year, 10% of the direct state aid and total per-educator entitlement to each district;

(c) in November of the school fiscal year, one-half of the guaranteed tax base aid payment to each district or county that has submitted a final budget to the superintendent of public instruction in accordance with the provisions of 20-9-134;

(d) in May of the school fiscal year, the remainder of the guaranteed tax base aid payment to each district or county; and

(e) in June of the school fiscal year, the remaining payment to each district of direct state aid and total per-educator entitlement.

(6) The distribution provided for in subsection (5) must occur by the last working day of each month.""
Renumber: subsequent sections

4. Page 10, line 30.
Insert: "NEW SECTION. **Section 11. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 20, chapter 9, part 3, and the provisions of Title 20, chapter 9, part 3, apply to [section 1]."
Renumber: subsequent section

5. Page 11, line 1.
Strike: "**date**"
Insert: "**dates**"
Following: "**applicability.**"
Insert: "(1) [Sections 1 through 3] are effective July 1, 2004.
(2)"
Strike: "[This act] is"
Insert: "[Sections 4 through 12] are "

6. Page 11, line 2.
Strike: "applies"
Insert: "apply"

Amendment **not** adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lenhart, Lindeen, Matthews, Musgrove, Newman, B. Olson, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 49

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 51

Voted Absentee: Ripley, No.

Excused: None.

Total 0

Absent or not voting: None.
Total 0

Motion that **SB 424**, as amended, be concurred in carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 90

Noes: Balyeat, E. Clark, Everett, Kasten, Lewis, Pattison, Sales, Sinrud, Waitschies.
Total 9

Voted Absentee: Ripley, Aye.

Excused: None.
Total 0

Absent or not voting: Jent.
Total 1

SB 454 - Representative Jackson moved **SB 454** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 92

Noes: Balyeat, Everett, Gallus, Lawson, Lewis, Sales, Wanzenried.
Total 7

Voted Absentee: Ripley, Aye.

Excused: None.
Total 0

Absent or not voting: Devlin.

Total 1

SB 458 - Representative A. Olson moved **SB 458** be concurred in.

Representative Lake moved for cloture. Motion (requiring a 2/3 vote) **failed** as follows:

Ayes: Andersen, Ballantyne, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, Cyr, Devlin, Erickson, Fisher, Forrester, Fritz, Gallus, Haines, Hawk, Hurwitz, Jacobson, Jent, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Roberts, Rome, Ross, Schrumpf, Sinrud, Small-Eastman, Steinbeisser, Stoker, Wagman, Witt, Younkin, Mr. Speaker.
Total 55

Noes: Balyeat, Bergren, Bixby, Branae, Buzzas, Carney, Cohenour, Dickenson, Dowell, Everett, Facey, Franklin, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jackson, Jayne, Juneau, Kaufmann, Keane, Maedje, Musgrove, Parker, Raser, Ryan, Sales, Shockley, Smith, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy.
Total 38

Excused: Ripley.
Total 1

Absent or not voting: Becker, P. Clark, Fuchs, Hedges, Lehman, Lewis.
Total 6

Representative Laszloffy moved for cloture. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, P. Clark, Cyr, Devlin, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gillan, Haines, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Roberts, Rome, Ryan, Sales, Schrumpf, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Witt, Younkin, Mr. Speaker.
Total 73

Noes: Bergren, Buzzas, Carney, Cohenour, Dickenson, Dowell, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Jackson, Kaufmann, Musgrove, Newman, Parker, Raser, Shockley, Smith, Wanzenried, Wilson, Windy Boy.
Total 25

Excused: Ripley.
Total 1

Absent or not voting: Ross.
Total 1

Motion that **SB 458** be concurred in carried as follows:

Ayes: Andersen, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, E. Clark, Cyr, Devlin, Everett, Forrester, Fuchs, Gallus, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Maedje, Matthews, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 53

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Fisher, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lawson, Lindeen, Malcolm, Musgrove, Newman, Noennig, Parker, Raser, Sales, Shockley, Small-Eastman, Wanzenried, Weiss, Wilson, Windy Boy.
Total 47

Voted Absentee: Ripley, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 407 - Representative Devlin moved **SB 407** be concurred in.

Representative Wanzenried moved **SB 407**, second reading copy, be amended as follows:

1. Title, page 1, line 6.
Strike: "ESTABLISHING A CAPITAL GAINS CREDIT;"

2. Title, page 1, line 8 through line 11.
Strike: "CLARIFYING" on line 8 through "DEDUCTION;" on line 11
Insert: "PROVIDING A PROPERTY TAX CREDIT FOR CERTAIN RESIDENTIAL PROPERTY;"

3. Title, page 1, line 17 through line 18.
Strike: "13-37-218" on line 17 through "15-30-142," on line 18

4. Title, page 1, line 19.
Strike: "EFFECTIVE DATES"
Insert: "AN IMMEDIATE EFFECTIVE DATE"

5. Page 23, line 20 through page 37, line 7.
Strike: section 40 through section 47 in their entirety
Insert: "NEW SECTION. **Section 40. Credit for property taxes on certain residences.** (1) There is a credit against property taxes levied on single occupancy class four residential improvements with a value that is at least $7,500 but not more than $75,000. The amount of the credit will be calculated by the department of revenue and is the product of dividing $15,752,000 by the number of residential properties that qualify for the credit. The amount of the credit must be printed on the notice sent to qualifying property owners under 15-16-101(2). The credit applies to qualifying residences attached to real property for the billing period of November 2004 and May 2005 and for residences upon which taxes are not a lien on real property for the billing period of May 2005 and November 2005.

(2) The treasurer shall credit the amount determined under subsection (1) to the owner's property taxes due

and record that the credit was granted. The county treasurer shall then determine the total amount of credits granted and, prior to the remittance of the levy imposed under 20-9-360, reduce the remittance to the department of revenue by the total amount of the credits granted. The amount of the reduction of the remittance must be reported in detail to the department of revenue with the remittance."
Renumber: subsequent sections

6. Page 41, line 5.
Strike: "[Section 1] is"
Insert: "[Sections 1 and 40] are"

7. Page 41, line 8 through line 9.
Strike: subsection (3) in its entirety

8. Page 41, line 11 through line 12.
Strike: section 57 in its entirety
Renumber: subsequent sections

9. Page 41, line 21.
Strike: "dates"
Insert: "date"
Strike: "(1) Except as provided in subsection (2), [this"
Insert: "[This"

10. Page 41, line 23.
Strike: subsection (2) in its entirety

11. Page 41, line 25.
Strike: "(1)"

12. Page 41, line 27.
Strike: "(A)"
Insert: "(1)"
Renumber: subsequent subsections

13. Page 42, lines 3 and 4.
Strike: subsection (2) in its entirety

Amendment **not** adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lenhart, Lindeen, Maedje, Matthews, Musgrove, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 44

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Malcolm, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser,

Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 55

Voted Absentee: Ripley, No.

Excused: None.
Total 0

Absent or not voting: Laslovich.
Total 1

Representative Kaufmann moved **SB 407**, second reading copy, be amended as follows:

1. Title, page 1, line 17.
Following: "PRODUCTS;"
Insert: "PROVIDING FOR A GROSS RECEIPTS TAX ON RETAIL SALES IN EXCESS OF $20 MILLION IN AN INDIVIDUAL LOCATION; PROVIDING FOR TAX RATES AND THE ALLOCATION OF THE TAX PROCEEDS; PROVIDING FOR THE REPORTING, ADMINISTRATION, AND COLLECTION OF THE TAX;"

2. Page 40, line 16.
Insert: "NEW SECTION. **Section 54. Definitions.** As used in [sections 54 through 63], the following definitions apply:

(1) "Farm implement" means any vehicle, machine, or attachment designed or adapted and used exclusively for agricultural operations and only incidentally operated or used on the highways.

(2) (a) "Gross receipts" means all receipts from retail sales from each specific store within the state, whether in the form of money, credits, or other valuable consideration, received as a result of engaging in or conducting a retail sales business, without deduction on account of the cost of the property sold, the cost of the materials used, labor or service costs, interest paid, taxes, losses, or any other expense. A retail sales establishment may deduct the cost of employer contributions for retirement benefits and health insurance for employees from gross receipts.

(b) The term does not include cash discounts allowed and taken on sales and sales refunds, either in cash or by credit, uncollectible accounts written off from time to time, or payments received in final liquidation of accounts included in the gross receipts of any previous return made by the person.

(2) "Retail sale" means any transfer of tangible personal property for consideration for any purpose other than for resale, sublease, or subrent.

(3) "Special mobile equipment" means a vehicle not designed for the transportation of persons or property on the highways but incidentally operated or moved over the highways, including road construction or maintenance machinery, ditch-digging apparatus, and well-boring apparatus.

(4) (a) "Tangible personal property" means personal property that can be seen, weighed, measured, felt, or touched or that is in any other manner perceptible to the senses.

(b) The term does not include farm implements, special mobile equipment, or vehicles.

(5) "Vehicle" means a device in, upon, or by which any person or property may be transported or drawn that is required to be registered or that is subject to a tax or fee imposed under Title 23, chapter 2, parts 5, 6, or 8, or Title 61, chapter 3, part 5. "
Insert: "NEW SECTION. **Section 55. Retail sales gross receipts tax.** (1) There is a retail sales gross receipts tax. The tax applies to all retail sales of tangible personal property from a single establishment that are in excess of $20 million each calendar year.

(2) The rate of tax on gross receipts in excess of $20 million is as follows:

(a) $20 million to $30 million, 1%;

(b) amounts in excess of $30 million up to and including $40 million, 1.5%; and

(c) amounts in excess of $40 million, 2%."

Insert: "NEW SECTION. **Section 56. Returns -- payment -- authority of department.** (1) Each person engaged in a retail sales business within this state or using property within this state that is subject to tax under [sections 54 through 63] shall file a return. Retail sales businesses are subject to the reporting and payment provisions of subsection (3).

(2) (a) On or before January 31 of each year, a return, in a form adopted by the department, with a remittance of the tax owed for the preceding year, must be filed with the department. The filing and the remittance may be done electronically.

(b) The retail sales business and any agent of the business, for the purposes of reporting or paying the gross receipts tax, are subject to the audit and accountability provisions of the department.

(3) (a) For the purposes of the gross receipts tax, a return must be filed by each location of a seller required to pay the tax.

(b) A return must be filed with and payment must be received by the department on or before January 31 for taxes owed for gross receipts on retail sales occurring during the preceding year.

(c) Each return must be authenticated by the person filing the return or by the person's agent authorized in writing to file the return.

(d) Pursuant to rules established by the department, returns may be computer-generated and electronically filed.

(4) (a) A person required to report and pay to the department a tax under [sections 54 through 63] shall keep records, render statements, make returns, and comply with the provisions of [sections 54 through 63] and the rules prescribed by the department. Each return or statement must include the information required by the rules of the department.

(b) For the purpose of determining compliance with the provisions of [sections 54 through 63], the department is authorized to examine or cause to be examined any books, papers, records, or memoranda relevant to making a determination of the amount of tax due, whether the books, papers, records, or memoranda are the property of or in the possession of the person filing the return or another person. In determining compliance, the department may use statistical sampling and other sampling techniques consistent with generally accepted auditing standards. The department may also:

(i) require the attendance of a person having knowledge or information relevant to a return;

(ii) compel the production of books, papers, records, or memoranda by the person required to attend;

(iii) implement the provisions of 15-1-703 if the department determines that the collection of the tax is or may be jeopardized because of delay;

(iv) take testimony on matters material to the determination; and

(v) administer oaths or affirmations."

Insert: "NEW SECTION. **Section 57. Allocation of proceeds.** Retail sales gross receipt tax proceeds must be allocated, pursuant to 15-1-501, to the state general fund."

Insert: "NEW SECTION. **Section 58. Examination of return -- adjustments -- delivery of notices and demands.** (1) If the department determines that the amount of tax due is different from the amount reported, the amount of tax computed on the basis of the examination constitutes the tax to be paid.

(2) If the tax due exceeds the amount of tax reported as due on the taxpayer's return, the excess must be paid to the department within 30 days after notice of the amount and demand for payment are mailed or delivered to the person making the return unless the taxpayer files a timely objection as provided in 15-1-211. If the amount of the tax found due by the department is less than that reported as due on the return and has been paid, the excess must be credited or, if no tax liability exists or is likely to exist, refunded to the person making the return.

(3) The notice and demand provided for in this section must contain a statement of the computation of the tax and interest and must be:

(a) sent by mail to the taxpayer at the address given in the taxpayer's return, if any, or to the taxpayer's last-known address; or

(b) served personally upon the taxpayer.

(4) A taxpayer filing an objection to the demand for payment is subject to and governed by the uniform dispute review procedure provided in 15-1-211."

Insert: "NEW SECTION. **Section 59. Penalties and interest for violations.** The provisions of 15-1-216 apply to returns, reports, and failure to pay the tax required under [sections 54 through 63]."

Insert: "NEW SECTION. **Section 60. Authority to collect delinquent taxes.** (1) (a) The department shall collect taxes that are delinquent as determined under [sections 54 through 63].

(b) If a tax imposed by [sections 54 through 63] or any portion of the tax is not paid when due, the department may issue a warrant for distraint as provided in Title 15, chapter 1, part 7.

(2) In addition to any other remedy, in order to collect delinquent taxes after the time for appeal has expired, the department may direct the offset of tax refunds or other funds due the taxpayer from the state, except wages subject to the provisions of 25-13-614 and retirement benefits.

(3) As provided in 15-1-705, the taxpayer has the right to a review of the tax liability prior to any offset by the department.

(4) The department may file a claim for state funds on behalf of the taxpayer if a claim is required before funds are available for offset."

Insert: "NEW SECTION. **Section 61. Limitations.** (1) Except in the case of a person that purposely or knowingly, as those terms are defined in 45-2-101, files a false or fraudulent return violating the provisions of [sections 54 through 63], a deficiency may not be assessed or collected with respect to a year for which a return is filed unless the notice of additional tax proposed to be assessed is mailed to or personally served upon the taxpayer within 5 years from the date that the return was filed. For purposes of this section, a return filed before the last day prescribed for filing is considered to be filed on the last day.

(2) If, before the expiration of the 5-year period prescribed in subsection (1) for assessment of the tax, the taxpayer consents in writing to an assessment after expiration of the 5-year period, a deficiency may be assessed at any time prior to the expiration of the period to which consent was given."

Insert: "NEW SECTION. **Section 62. Refunds -- interest -- limitations.** (1) A claim for a refund or credit as a result of overpayment of taxes collected under [sections 54 through 63] must be filed within 5 years of the date that the return was due, without regard to any extension of time for filing.

(2) (a) Interest on an overpayment must be paid or credited at the same rate as the rate charged on delinquent taxes in 15-16-102.

(b) Except as provided in subsection (2)(c), interest must be paid from the date that the return was due or the date of overpayment, whichever is later. Interest does not accrue during any period in which the processing of a claim is delayed more than 30 days because the taxpayer has not furnished necessary information.

(c) The department is not required to pay interest if:

(i) the overpayment is refunded or credited within 6 months of the date that a claim was filed; or

(ii) the amount of overpayment and interest does not exceed $1."

Insert: "NEW SECTION. **Section 63. Administration -- rules.** The department shall:

(1) administer and enforce the provisions of [sections 54 through 63];

(2) cause to be prepared and distributed forms and information that may be necessary to administer the provisions of [sections 54 through 63]; and

(3) adopt rules that may be necessary or appropriate to administer and enforce the provisions of [sections 54 through 63]."

Renumber: subsequent sections

3. Page 41, line 8.
Following: "40"
Insert: "and 54 through 63"

4. Page 40, line 9.

Following: "40"
Insert: "and 54 through 63"

5. Page 42, line 5.
Insert: "(3) [Sections 54 through 63] apply retroactively, within the meaning of 1-2-109, to retail sales after December 30, 2002."

Amendment **not** adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jent, Juneau, Kaufmann, Laslovich, Lenhart, Lindeen, Musgrove, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 42

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 57

Voted Absentee: Ripley, No.

Excused: None.
Total 0

Absent or not voting: Jayne.
Total 1

Representative Harris moved **SB 407**, second reading copy, be amended as follows:

1. Page 4, line 6.
Following: "23-2-502,"
Insert: "a snowmobile as defined in 23-2-601,"

2. Page 7, line 25.
Strike: "4%"
Insert: "9%"

3. Page 8, line 11.
Strike: "4%"
Insert: "9%"

Amendment **not** adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, Cohenour, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jent, Juneau, Kaufmann, Laslovich, Lenhart, Lindeen, Matthews, Musgrove, Parker, Raser, Ryan, Small-Eastman,

Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 41

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, P. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Jayne, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 59

Voted Absentee: Ripley, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Facey moved **SB 407**, second reading copy, be amended as follows:

1. Title, line 6.
Strike: "REDUCING" through "CREDIT;"

2. Title, lines 8 through 11.
Following: "REVENUE;" on line 8
Strike: remainder of line 8 through "DEDUCTION;" on line 11

3. Title, lines 17 and 18.
Following: "SECTIONS" on line 17
Strike: remainder of line 17 through "15-30-142," on line 18

4. Title, line 19.
Following: "~~DELAYED~~"
Insert: "AN"
Strike: "DATES"
Insert: "DATE"

5. Page 23, line 20 through page 37, line 6.
Strike: sections 40 through 47 in their entirety
Renumber: subsequent sections

6. Page 41, lines 8 and 9.
Strike: subsection (3) in its entirety

7. Page 41, lines 11 and 12.
Strike: section 57 in its entirety
Renumber: subsequent sections

8. Page 41, line 21.

Strike: "**dates**"
Insert: "**date**"
Strike: "(1)" through "act]"
Insert: "[This act]"

9. Page 41, line 23.
Strike: subsection (2) in its entirety

10. Page 41, line 25.
Strike: "(1)"

11. Page 41, line 27.
Strike: "(A)"
Insert: "(1)"
Renumber: subsequent subsections

12. Page 42, lines 3 and 4.
Strike: subsection (2) in its entirety

Amendment **not** adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Matthews, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 47

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 53

Voted Absentee: Ripley, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Erickson moved **SB 407**, second reading copy, be amended as follows:

1. Page 23, line 21 through line 23.
Strike: "FOR" on line 21 through "2006" on line 23

Amendment **not** adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lenhart, Lindeen, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Windy Boy.
Total 43

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 56

Voted Absentee: Ripley, No.

Excused: None.
Total 0

Absent or not voting: Wilson.
Total 1

Representative Peterson moved **SB 407**, second reading copy, be amended as follows:

1. Page 9, line 1.
Insert: "(6) Lodging facilities and campgrounds are exempt from the tax imposed in subsections (1)(a) and (3)(a)(i) until October 1, 2003, for contracts entered into prior to [the effective date of this section] that provide for a guaranteed charge for accommodations or campgrounds."

Amendment adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Forrester, Franklin, Fritz, Fuchs, Gallik, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Witt, Younkin.
Total 82

Noes: Buzzas, P. Clark, Erickson, Facey, Fisher, Gallus, Galvin-Halcro, Gutsche, Hedges, Kasten, Kaufmann, Lindeen, Parker, Pattison, Wanzenried, Weiss, Windy Boy, Mr. Speaker.
Total 18

Voted Absentee: Ripley, Aye.

Excused: None.
Total 0

Absent or not voting: None.

Total 0

Representative Bookout-Reinicke moved **SB 407**, second reading copy, be further amended as follows:

1. Title, line 12.
Following: line 11
Insert: "ALLOWING RESIDENTS A CREDIT AGAINST INDIVIDUAL INCOME TAXES FOR THEIR SHARE OF TAXES IMPOSED AND PAID TO ANOTHER STATE OR COUNTRY BY A PARTNERSHIP OF WHICH THE RESIDENT IS A PARTNER;"

2. Title, line 18.
Following: "15-30-122,"
Insert: "15-30-124,"

3. Page 35, line 29.
Insert: "Section 47. Section 15-30-124, MCA, is amended to read:

"15-30-124. Credit allowed resident taxpayers for income taxes imposed by foreign states or countries. (1) Subject to the conditions provided in subsections (2) through (5), a resident of this state is allowed a credit against the taxes imposed by this chapter for:

(a) income taxes imposed by and paid to another state or country on income taxable under this chapter; ~~and~~

(b) the resident's pro rata share of any income tax imposed by and paid to another state or country by an S. corporation of which the resident is a shareholder; and

(c) the resident's distributive share, whether separately or nonseparately stated, of any income tax imposed by and paid to another state or country by a partnership of which the resident is a partner.

(2) The credit is allowed only for taxes paid to another state or country on income derived from sources within the other state or country that is taxable under the laws of the other state or country regardless of the residence or domicile of the taxpayer.

(3) The credit is not allowed if the other state or country allows residents of this state a credit against the taxes imposed by the other state or country for taxes paid or payable under this chapter.

(4) The allowable credit must be computed by a formula prescribed by the department.

(5) For the purposes of the credit under subsection (1)(b) and (1)(c):

(a) "income tax" has the same meaning as provided in Article II of 15-1-601;

(b) the S. corporation must have made and have in effect on the last day of its tax year a valid election under subchapter S. of Chapter 1 of the Internal Revenue Code; and

(c) the credit applies only to taxes paid by the S. corporation or partnership on income taxable under this chapter.""
Renumber: subsequent sections

4. Page 40, line 12.
Strike: "47"
Insert: "46 and 48"

5. Page 41, line 23.
Strike: "47"
Insert: "46 and 48"

6. Page 42, line 5.
Insert: "(3) [Section 47] applies retroactively, within the meaning of 1-2-109, to years beginning after December 31,

2002."

Amendment **not** adopted as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, E. Clark, Devlin, Everett, Forrester, Haines, Hawk, Hurwitz, Jackson, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Maedje, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Roberts, Rome, Ross, Sales, Schrumpf, Sinrud, Steinbeisser, Stoker, Thomas, Waitschies, Mr. Speaker.
Total 42

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fisher, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hedges, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lawson, Lewis, Lindeen, Malcolm, Musgrove, Newman, Parker, Pattison, Raser, Ripley, Ryan, Shockley, Small-Eastman, Smith, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.
Total 58

Voted Absentee: Ripley, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Maedje moved **SB 407**, second reading copy, be further amended as follows:

1. Title, page 1, line 11.
Following: "DEDUCTION;"
Insert: "DIRECTING THE DEPARTMENT OF REVENUE TO PUBLISH ON THE DEPARTMENT'S HELENA HOMEPAGE ON THE STATE WEBSITE A LIST OF THE 100 INDIVIDUAL INCOME TAXPAYERS WHO OWE THE MOST DELINQUENT TAXES AND THE 100 CORPORATION LICENSE OR INCOME TAXPAYERS WHO OWE THE MOST DELINQUENT TAXES;"

2. Title, page 1, line 18.
Following: "15-30-142,"
Insert: "15-30-249, 15-30-303, 15-31-511,"

3. Page 37.
Following: line 7
Insert: "NEW SECTION. **Section 48. Delinquency publication.** (1) Except as provided in subsection (3), beginning January 1, 2004, the department shall publish on the department's Helena homepage on the state website a list of the 100 individual income taxpayers who owe the most delinquent taxes and the 100 corporation license or income taxpayers who owe the most delinquent taxes. The list may not be published on any of the department's regional websites.

(2) If a taxpayer who is on the list pays the delinquent taxes referred to in subsection (1) or enters into an agreement with the department for the payment of delinquent taxes, the department shall remove the taxpayer's name from the list within 48 hours.

(3) The list may not include a taxpayer who has filed for bankruptcy."

Insert: "Section 49. Section 15-30-249, MCA, is amended to read:

"15-30-249. Confidentiality. Reports and returns required to be filed under this part are confidential, subject to the limitations contained in [section 48] and 39-51-603(3) and (4).""

Insert: "Section 50. Section 15-30-303, MCA, is amended to read:

"15-30-303. Confidentiality of tax records. (1) Except as provided in [section 48], subsections (7) and (8) of this section, or in accordance with a proper judicial order or as otherwise provided by law, it is unlawful to divulge or make known in any manner:

(a) the amount of income or any particulars set forth or disclosed in any individual report or individual return required under this chapter or any other information secured in the administration of this chapter; or

(b) any federal return or federal return information disclosed on any return or report required by rule of the department or under this chapter.

(2) (a) The officers charged with the custody of the reports and returns may not be required to produce them or evidence of anything contained in them in an action or proceeding in a court, except in an action or proceeding:

(i) to which the department is a party under the provisions of this chapter or any other taxing act; or

(ii) on behalf of a party to any action or proceedings under the provisions of this chapter or other taxes when the reports or facts shown by the reports are directly involved in the action or proceedings.

(b) The court may require the production of and may admit in evidence only as much of the reports or of the facts shown by the reports as are pertinent to the action or proceedings.

(3) This section does not prohibit:

(a) the delivery to a taxpayer or the taxpayer's authorized representative of a certified copy of any return or report filed in connection with the taxpayer's tax;

(b) the publication of statistics classified to prevent the identification of particular reports or returns and the items of particular reports or returns; or

(c) the inspection by the attorney general or other legal representative of the state of the report or return of any taxpayer who brings an action to set aside or review the tax based on the report or return or against whom an action or proceeding has been instituted in accordance with the provisions of 15-30-311.

(4) Reports and returns must be preserved for at least 3 years and may be preserved until the department orders them to be destroyed.

(5) Any offense against subsections (1) through (4) is punishable by a fine not exceeding $1,000 or by imprisonment in the county jail for a term not exceeding 1 year, or both. If the offender is an officer or employee of the state, the offender must be dismissed from office and may not hold any public office in this state for a period of 1 year after dismissal.

(6) This section may not be construed to prohibit the department from providing taxpayer return information and information from employers' payroll withholding reports to:

(a) the department of labor and industry to be used for the purpose of investigation and prevention of noncompliance, tax evasion, fraud, and abuse under the unemployment insurance laws; or

(b) the state fund to be used for the purpose of investigation and prevention of noncompliance, fraud, and abuse under the workers' compensation program.

(7) The department may permit the commissioner of internal revenue of the United States or the proper officer of any state imposing a tax upon the incomes of individuals or the authorized representative of either officer to inspect the return of income of any individual or may furnish to the officer or an authorized representative an abstract of the return of income of any individual or supply the officer with information concerning an item of income contained in a return or disclosed by the report of an investigation of the income or return of income of an individual, but the permission may be granted or information furnished only if the statutes of the United States or of the other state grant substantially similar privileges to the proper officer of this state charged with the administration of this chapter.

(8) The department shall furnish:

(a) to the department of justice all information necessary to identify those persons qualifying for the additional exemption for blindness pursuant to 15-30-112(4), for the purpose of enabling the department of justice to

administer the provisions of 61-5-105;

(b) to the department of public health and human services information acquired under 15-30-301, pertaining to an applicant for public assistance, reasonably necessary for the prevention and detection of public assistance fraud and abuse, provided notice to the applicant has been given;

(c) to the department of labor and industry for the purpose of prevention and detection of fraud and abuse in and eligibility for benefits under the unemployment compensation and workers' compensation programs information on whether a taxpayer who is the subject of an ongoing investigation by the department of labor and industry is an employee, an independent contractor, or self-employed;

(d) to the department of fish, wildlife, and parks specific information that is available from income tax returns and required under 87-2-102 to establish the residency requirements of an applicant for hunting and fishing licenses;

(e) to the board of regents information required under 20-26-1111;

(f) to the legislative fiscal analyst and the office of budget and program planning individual income tax information as provided in 5-12-303. The information provided to the office of budget and program planning must be the same as the information provided to the legislative fiscal analyst.

(g) to the department of transportation farm income information based on the most recent income tax return filed by an applicant applying for a refund under 15-70-223 or 15-70-362, provided that notice to the applicant has been given as provided in 15-70-223 and 15-70-362. The information obtained by the department of transportation is subject to the same restrictions on disclosure as are individual income tax returns.""

Insert: "Section 51. Section 15-31-511, MCA, is amended to read:

"15-31-511. Confidentiality of tax records. (1) Except as provided in [section 48], this section in accordance with a proper judicial order, or as otherwise provided by law, it is unlawful to divulge or make known in any manner:

(a) the amount of income or any particulars set forth or disclosed in any return or report required under this chapter or any other information relating to taxation secured in the administration of this chapter; or

(b) any federal return or information in or disclosed on a federal return or report required by law or rule of the department ~~of revenue~~ under this chapter.

(2) (a) An officer or employee charged with custody of returns and reports required by this chapter may not be ordered to produce any of them or evidence of anything contained in them in any administrative proceeding or action or proceeding in any court, except:

(i) in an action or proceeding in which the department is a party under the provisions of this chapter; or

(ii) in any other tax proceeding or on behalf of a party to an action or proceeding under the provisions of this chapter when the returns or reports or facts shown in them are directly pertinent to the action or proceeding.

(b) If the production of a return, report, or information contained in them is ordered, the court shall limit production of and the admission of returns, reports, or facts shown in them to the matters directly pertinent to the action or proceeding.

(3) This section does not prohibit:

(a) the delivery of a certified copy of any return or report filed in connection with a return to the taxpayer who filed the return or report or to the taxpayer's authorized representative;

(b) the publication of statistics prepared in a manner that prevents the identification of particular returns, reports, or items from returns or reports;

(c) the inspection of returns and reports by the attorney general or other legal representative of the state in the course of an administrative proceeding or litigation under this chapter;

(d) access to information under subsection (4); or

(e) the director of revenue from permitting a representative of the commissioner of internal revenue of the United States or a representative of a proper officer of any state imposing a tax on the income of a taxpayer to inspect the returns or reports of a corporation. The department may also furnish those persons abstracts of income, returns, and reports; information concerning any item in a return or report; and any item disclosed by an investigation of the income or return of a corporation. The director of revenue may not furnish that information to a person representing

the United States or another state unless the United States or the other state grants substantially similar privileges to an officer of this state charged with the administration of this chapter.

(4) The department shall on request:

(a) allow the inspection of returns and reports by the legislative auditor, but the information furnished to the legislative auditor is subject to the same restrictions on disclosure outside that office as provided in subsection (1); and

(b) deliver corporation income tax data to the legislative fiscal analyst and the office of budget and program planning, but the information furnished to the legislative fiscal analyst and the office of budget and program planning is subject to the same restrictions on disclosure outside those offices as provided in subsection (1).

(5) A person convicted of violating this section shall be fined not to exceed $1,000 or be imprisoned in the county jail for a term not to exceed 1 year, or both. If a public servant, as defined in 45-2-101, is convicted of violating this section, the person forfeits office and may not hold any public office or public employment in the state for a period of 1 year after conviction.""

Renumber: subsequent sections

4. Page 41.
Following: line 9
Insert: "(4) [Section 48] is intended to be codified as an integral part of Title 15, chapter 1, part 1, and the provisions of Title 15, chapter 1, part 1, apply to [section 48]."

5. Page 41, line 21.
Strike: "subsection"
Insert: "subsections"
Following: "(2)"
Insert: "and (3)"

6. Page 41.
Following: line 23
Insert: "(3) [Sections 48 through 51] are effective July 1, 2003."

Amendment **not** adopted as follows:

Ayes: Ballantyne, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Jacobson, Jent, Juneau, Kaufmann, Keane, Lenhart, Lindeen, Maedje, Matthews, Mendenhall, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 45

Noes: Andersen, Balyeat, Bitney, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Fuchs, Gillan, Haines, Hawk, Hedges, Hurwitz, Jackson, Jayne, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Malcolm, McKenney, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 55

Voted Absentee: Ripley, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Ripley present at this time.

Motion that **SB 407**, as amended, be concurred in **failed** as follows:

Ayes: Andersen, Balyeat, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Younkin, Mr. Speaker.
Total 49

Noes: Ballantyne, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laslovich, Lewis, Maedje, Musgrove, Newman, Parker, Raser, Ripley, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Witt.
Total 51

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Brueggeman moved the Committee of the Whole report be adopted.

Representative Laszloffy made a **substitute motion** that **SB 407** be segregated from the Committee of the Whole report and that it be placed on second reading Legislative Day 80 and that the remainder of the report be adopted. Report adopted as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Devlin, Everett, Fisher, Forrester, Franklin, Gallik, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Rome, Sales, Schrumpf, Shockley, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 59

Noes: Ballantyne, Bergren, Bixby, Branae, Buzzas, Callahan, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jayne, Juneau, Kaufmann, Keane, Musgrove, Newman, Parker, Raser, Ryan, Sinrud, Small-Eastman, Smith, Wanzenried, Wilson, Windy Boy.
Total 36

Excused: None.
Total 0

Absent or not voting: Fritz, Lindeen, Roberts, Ross, Weiss.
Total 5

REPORTS OF STANDING COMMITTEES

Correctly enrolled: **HB 105**, **HB 213**, **HB 223**, **HB 253**, **HB 266**, **HB 270**, **HB 338**, **HB 396**, **HB 410**, **HB 451**, **HB 468, HB 521**, **HB 525**, **HB 537**, **HB 540**, **HB 553**, **HB 556**, **HB 563**, **HB 577**, **HB 588**, **HB 758**.
Examined by the sponsor and found to be correct: **HB 105**, **HB 213**, **HB 223**, **HB 253**, **HB 266**, **HB 270**, **HB 338**, **HB 396**, **HB 410**, **HB 451**, **HB 468**, **HB 521**, **HB 525**, **HB 537**, **HB 540**, **HB 553**, **HB 556**, **HB 563**, **HB 588**, **HB 758**.

TAXATION (Fuchs, Chairman): 4/11/2003
SB 155, be concurred in. Report adopted.
SB 474, be amended as follows:

1. Title, line 11.
Following: "PROGRAM;"
Insert: "PROVIDING FOR THE USE OF TOBACCO SETTLEMENT FUNDS FOR FUNDING THE PROGRAM;"

2. Title, line 14.
Following: line 13
Insert: "17-6-606,"

3. Page 7, line 8.
Insert: "Section 9. Section 17-6-606, MCA, is amended to read:

"17-6-606. Tobacco settlement accounts -- purpose -- uses. (1) The purpose of this section is to dedicate a portion of the tobacco settlement proceeds to fund a statewide comprehensive tobacco disease prevention program designed to:

(a) discourage children from starting use of tobacco;

(b) assist adults in quitting use of tobacco;

(c) provide funds for the children's health insurance program; ~~and~~

(d) provide funds for the comprehensive health association programs; and

(e) provide funds for the Montana gold senior pharmacy program provided for in [sections 1 through 7], unless the legislature appropriates tobacco settlement trust funds for the program.

(2) An amount equal to 32% of the total yearly tobacco settlement proceeds received after June 30, 2003, must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to in this subsection may be used only for funding a statewide tobacco prevention program designed to prevent children from starting tobacco use and to help adults who want to quit tobacco use and to provide funds for the Montana gold senior pharmacy program provided for in [sections 1 through 7], unless the legislature appropriates tobacco settlement trust funds for the program. The department of public health and human services shall manage the tobacco disease prevention program and shall adopt rules to implement the program. In adopting rules, the department shall consider the standards contained in Best Practices for Comprehensive Tobacco Control Programs--August 1999 or its successor document, published by the U.S. department of health and human services, centers for disease control and prevention.

(3) An amount equal to 17% of the total yearly tobacco settlement proceeds received after June 30, 2003, must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to in this subsection may be used only for:

(a) matching funds to secure the maximum amount of federal funds for the Children's Health Insurance Program Act provided for in Title 53, chapter 4, part 10; ~~and~~

(b) programs of the comprehensive health association provided for in Title 33, chapter 22, part 15, with funding use subject to 33-22-1513; and

(c) funding for the Montana gold senior pharmacy program provided for in [sections 1 through 7], unless the legislature appropriates tobacco settlement trust funds for the program.

(4) Funds deposited in a state special revenue account, as provided in subsection (2) or (3), that are not appropriated within 2 years after the date of deposit must be transferred to the trust fund.

(5) The legislature shall appropriate money from the state special revenue accounts provided for in this section for tobacco disease prevention, for the programs referred to in the subsection establishing the account, and for funding the tobacco prevention advisory board.

(6) Programs funded under this section that are private in nature may be funded through contracted services.""

Renumber: subsequent sections

4. Page 14, line 14.
Following: "FOR"
Insert: "using tobacco settlement proceeds for"

5. Page 14, line 15.
Following: "AGAINST"
Insert: "using tobacco settlement proceeds for"

And, as amended, be concurred in. Report adopted.

SB 484, be concurred in. Report adopted.
SB 487, be concurred in. Report adopted.

Representative Lindeen excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 94, **as amended by the Governor**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Callahan, Sinrud.
Total 2

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 152, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 89

Noes: Bixby, Buzzas, Galvin-Halcro, Jayne, Juneau, Ryan, Wanzenried, Weiss.
Total 8

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 159, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 84

Noes: Balyeat, Bixby, Buzzas, Callahan, Fuchs, Galvin-Halcro, Golie, Kasten, Kaufmann, Sales, Sinrud, Wanzenried, Wilson.
Total 13

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 199, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Franklin, Fuchs.
Total 2

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 408, **as amended by the Governor**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 441, **as amended by the Governor**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm,

Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 93

Noes: Balyeat, Laszloffy, Ryan, Sales.
Total 4

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 484, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Sinrud.
Total 1

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 512, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Rome, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 89

Noes: Balyeat, Bergren, P. Clark, Franklin, Golie, Jent, Pattison, Sales.

Total 8

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 517, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Balyeat, Fisher, Fuchs, Jacobson, Lake, McKenney, B. Olson, Sales, Sinrud.
Total 9

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 538, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 91

Noes: Balyeat, D. Brown, P. Clark, Golie, Jayne, Sales.
Total 6

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 545, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cyr, Devlin, Dowell, Everett, Fisher, Forrester, Fuchs, Gallus, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 65

Noes: Ballantyne, Bergren, Bixby, Buzzas, Callahan, P. Clark, Cohenour, Dickenson, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Musgrove, Parker, Raser, Small-Eastman, Smith, Weiss, Wilson.
Total 32

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 609, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 640, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Dowell, Everett, Fisher, Forrester, Fritz, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, A. Olson, Pattison, Peterson,

Raser, Rice, Ripley, Rome, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 66

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Cohenour, Erickson, Facey, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Newman, Noennig, B. Olson, Parker, Ryan, Smith, Weiss, Wilson.
Total 31

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 641, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 91

Noes: Balyeat, Bookout-Reinicke, P. Clark, Franklin, Jayne, Keane.
Total 6

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 648, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 667, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Mr. Speaker.
Total 92

Noes: Barrett, R. Brown, Gutsche, Rice, Younkin.
Total 5

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 669, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 85

Noes: Barrett, Bixby, Buzzas, Dickenson, Everett, Franklin, Gallik, Galvin-Halcro, Golie, Kaufmann, Rice, Ripley.
Total 12

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.

Total 2

HB 676, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 92

Noes: Everett, Fuchs, Lake, Maedje, B. Olson.
Total 5

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 677, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 90

Noes: Fuchs, Lawson, Maedje, Morgan, A. Olson, B. Olson, Wilson.
Total 7

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 698, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie,

Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Rome, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 89

Noes: Balyeat, Fuchs, Kasten, Laszloffy, Morgan, Pattison, Sales, Waitschies.
Total 8

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 733, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 90

Noes: Bookout-Reinicke, Carney, Erickson, Galvin-Halcro, Gutsche, Harris, Kaufmann.
Total 7

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HB 734, **as amended by the Senate**, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 93

Noes: Balyeat, Fuchs, Laszloffy, Sales.
Total 4

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HJR 4, **as amended by the Senate**, adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 86

Noes: Bergren, Buzzas, Franklin, Gallik, Gutsche, Kaufmann, Lake, Newman, Raser, Wanzenried, Weiss.
Total 11

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HJR 8, **as amended by the Senate**, adopted as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rome, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 81

Noes: Balyeat, Barrett, Bitney, D. Brown, Everett, Fisher, Hawk, Jent, Lake, Morgan, Rice, Ripley, Sales, Sinrud, Waitschies, Weiss.
Total 16

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.

Total 2

HJR 17, **as amended by the Senate**, adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

Noes: Erickson, Jent, Weiss.
Total 3

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HJR 29, **as amended by the Senate**, adopted as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Mr. Speaker.
Total 87

Noes: Balyeat, Callahan, Everett, Jent, Laszloffy, Morgan, Sales, Sinrud, Weiss, Younkin.
Total 10

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

HJR 32, **as amended by the Senate**, adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Franklin, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Kasten, Keane, Lake, Lambert,

Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 76

Noes: Bergren, Bixby, Buzzas, Callahan, Carney, Cohenour, Dowell, Erickson, Fritz, Galvin-Halcro, Gutsche, Harris, Jayne, Jent, Juneau, Kaufmann, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 21

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

SB 271 concurred in as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Rome, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 54

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Musgrove, Parker, Raser, Ryan, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 43

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

MOTIONS

Representative R. Brown moved **SB 314** be taken from third reading and be rereferred to the Committee on Appropriations. The motion **failed** as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Hawk, Hedges, Jackson, Kasten, Lake, Lambert, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, Pattison, Peterson, Rice, Ripley, Rome, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin.
Total 46

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson,

Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lange, Laslovich, Lenhart, Matthews, Musgrove, Newman, B. Olson, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Mr. Speaker.
Total 51

Excused: Lindeen.
Total 1

Absent or not voting: Roberts, Ross.
Total 2

ANNOUNCEMENTS

Majority Leader Brown moved that the House adjourn until 8:00 a.m., Saturday, April 12, 2003. Motion carried.

House adjourned at 7:53 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House

HOUSE JOURNAL
58TH LEGISLATURE
SEVENTY-NINTH LEGISLATIVE DAY

Helena, Montana — House Chambers
April 12, 2003 — State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Sinrud. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Gallus, Lindeen, Pattison, and Small-Eastman, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

Mr. Angelo Bianco of the Military Order of the Purple Heart presented the Speaker and House members of the 58th Montana Legislature with a plaque for the Distinguished Service Award. This is in honor of HB 250, which recommended a license plate that honored the combat wounded.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 4/11/2003
Correctly printed: **HJR 44, SB 155**, **SB 424**, **SB 464**, **SB 487**.
Correctly engrossed: **SB 474**.
Examined by the sponsor and found to be correct: **HB 256**, **HB 289**, **HB 292**, **HB 299**, **HB 315**, **HB 480**, **HB 573**, **HB 610**, **HB 618**, **HB 681**, **HB 703**.

TAXATION (Fuchs, Chairman): 4/12/2003
SB 461, be amended as follows:

1. Title, page 1, line 7 through line 11.
Strike: "PROVIDING" on line 7 through "PROPERTY;" on line 11

2. Title, page 1, line 12.
Strike: "3"
Insert: "3.01"

3. Title, page 1, line 12 through line 15.
Strike: "PROVIDING" on line 12 through "BRACKETS;" on line 15

4. Title, page 1, line 17.
Following: "~~PROPERTY~~"
Insert: "AND COMMERCIAL AND INDUSTRIAL PROPERTY"

5. Title, page 1, line 19.
Following: "TAXATION;"
Insert: "PROVIDING FOR AN INTERIM PROPERTY TAX REAPPRAISAL STUDY COMMITTEE AND A TAX REFORM STUDY COMMITTEE; PROVIDING AN APPROPRIATION;"
Strike: "5-2-301,"

6. Title, page 1, line 20.
Strike: "7-13-2527,"

Strike: "15-6-138, 15-6-191,"
Strike: "15-7-103,"
Insert: "AND"

7. Title, page 1, line 21.
Strike: "15-8-111, AND 15-16-102,"

8. Page 2, line 13 through page 6, line 16.
Strike: sections 1 and 2 in their entirety
Renumber: subsequent sections

9. Page 7, line 22 through page 9, line 24.
Strike: sections 3 through 5 in their entirety
Renumber: subsequent sections

10. Page 9, line 28.
Following: "~~(1)(AA)~~"
Insert: "and (1)(aa)"

11. Page 9, line 30.
Following: "~~(1)(AA)~~"
Insert: "and (1)(aa)"

12. Page 10, line 10.
Following: "~~both~~"
Insert: "but before deducting depreciation or depletion allowance, or both"

13. Page 10, line 25.
Strike: "[SECTION 3], [SECTION 1],"

14. Page 10, line 28.
Strike: "3.38%"
Insert: "3.40%"

15. Page 11, line 3.
Strike: "3%"
Insert: "3.01%"

16. Page 13, line 21 through page 17, line 2.
Strike: sections 7 through 9 in their entirety
Renumber: subsequent sections

17. Page 19, line 22 through line 24.
Following: "~~FOLLOWING~~" on line 22
Insert: "following"
Strike: "CLASS" on line 22 through "FOUR" on line 23
Insert: "residential"
Following: "15-6-134" on line 23

Insert: "(1)(e) and (1)(f)"
Strike: "AND" on line 23 through ";" on line 24
Insert: ":"

18. Page 20.
Following: line 15
Insert: "(i) 31% for tax year 2003;
(ii) 31.4% for tax year 2004;
(iii) 32% for tax year 2005;
(iv) 32.6% for tax year 2006;
(v) 33.2% for tax year 2007;
(vi) 34% for tax year 2008 and succeeding tax years;
(aa) the following percentage of the market value of commercial property as described in 15-6-134(1)(g):
(i) 13% for tax year 2003;
(ii) 13.3% for tax year 2004;
(iii) 13.8% for tax year 2005;
(iv) 14.2% for tax year 2006;
(v) 14.6% for tax year 2007;
(vi) 15% for tax year 2008 and succeeding tax years;"
Renumber: subsequent subsections

19. Page 21, line 23.
Strike: "(1)(AA)"
Insert: "(1)(bb)"

20. Page 24, line 23 through line 25.
Following: "~~FOLLOWING~~" on line 23
Insert: "following"
Strike: "CLASS" on line 23 through "FOUR" on line 24
Insert: "residential"
Following: "15-6-134" on line 24
Insert: "(1)(e) and (1)(f)"
Strike: "AND" on line 24 through ";" on line 25
Insert: ":"

21. Page 25.
Following: line 16
Insert: "(i) 31% for tax year 2003;
(ii) 31.4% for tax year 2004;
(iii) 32% for tax year 2005;
(iv) 32.6% for tax year 2006;
(v) 33.2% for tax year 2007;
(vi) 34% for tax year 2008 and succeeding tax years;
(aa) the following percentage of the market value of commercial property as described in 15-6-134(1)(g):
(i) 13% for tax year 2003;
(ii) 13.3% for tax year 2004;
(iii) 13.8% for tax year 2005;
(iv) 14.2% for tax year 2006;
(v) 14.6% for tax year 2007;

(vi) 15% for tax year 2008 and succeeding tax years;"
Renumber: subsequent subsections

22. Page 27, line 7.
Strike: "(1)(AA)"
Insert: "(1)(bb)"

23. Page 27, line 21 through page 28, line 13.
Strike: section 11 in its entirety
Renumber: subsequent sections

24. Page 30, line 25 through page 33, line 14.
Strike: sections 13 through 14 in their entirety
Renumber: subsequent sections

25. Page 33, line 25.
Following: "REAPPRAISAL"
Insert: "and tax reform"
Following: "STUDY"
Insert: "committees"
Following: "(1)"
Insert: "(a)"

26. Page 33, line 28.
Strike: "(2)"
Insert: "(b)"

27. Page 33.
Following: line 30
Insert: "(2) (a) There is an interim tax reform study committee created to study tax reform that may include revising the existing tax structure and considering alternative forms of taxation. The members must include:

(i) four senators, two from each political party, appointed by the committee on committees;

(ii) four representatives, two appointed by the speaker and two appointed by the minority leader; and

(iii) the following members appointed by the governor:

(A) one representative of small business;

(B) one representative of large industry;

(C) one representative of agriculture; and

(D) one representative of labor.

(b) The members of the committee shall select a presiding officer and may appoint other officers as considered necessary.

(c) The committee shall adopt rules of procedure for conducting meetings.

(d) The purpose of the committee is to conduct a comprehensive examination of taxation in Montana. The committee shall:

(i) develop an inventory of taxes imposed at the state and local level, including but not limited to:

(A) the taxation of property;

(B) the taxation of income;

(C) excise and use taxes; and

(D) taxation of natural resource production, including energy production and transmission;

(ii) provide analyses that evaluate existing taxes in terms of:

(A) their adequacy, efficiency, burden or incidence, fairness, ability to be exported, and effect on economic behavior, including their effect on individual and business decisions; and

(B) costs of administration and compliance;

(iii) examine tax expenditures to assess the ongoing merit of each expenditure; and

(iv) examine alternative methods of taxation from existing sources, as well as new sources of revenue, and evaluate the alternative methods and new sources according to the criteria described in subsection (2)(d)(ii).

(e) The committee shall solicit the knowledge and advice of economists, tax policy experts, and representatives of taxpayer groups, local governments, small business organizations, large industry, agriculture, and economic and business development organizations.

(3) The committees created in this section shall coordinate their work and shall report to each other after each meeting. The two committees shall meet together at least once every 6 months.

(4) The committees shall submit written reports to the legislature not later than December 1, 2004, that must include recommendations and proposed legislation, if legislation is considered necessary, to mitigate the effects of cyclical reappraisal and to provide tax reform for Montana."

Renumber: subsequent subsection

28. Page 34, line 1.
Strike: "COMMITTEE IS"
Insert: "committees are"

29. Page 34.
Following: line 2
Insert: "(6) (a) Nonlegislative members of the tax reform study committee must be reimbursed in accordance with 2-18-501 through 2-18-503 for actual and necessary expenses incurred in attending meetings or conducting committee business.

(b) Legislators serving on the committees must be reimbursed and compensated as provided for in 5-2-302 for actual and necessary expenses incurred in attending meetings or conducting committee business."

Insert: "NEW SECTION. **Section 6. Appropriation.** (1) The committees created in [section 5] may receive gifts, grants, and donations. The money received must be used for fulfilling the duties of the committees, for reimbursing the expenses of committee members, or for providing staff for the committees. The money received must be placed in a special revenue fund account to the credit of the department of revenue.

(2) In addition to any money received pursuant to subsection (1), there is appropriated $60,000 from the general fund to the committees created in [section 5] for the biennium for the operating expenses and personnel expenses of the committees."

Renumber: subsequent sections

30. Page 34, line 4 through line 10.
Strike: section 17 in its entirety
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **Senate Bill 57**
Report No. 1, April 11, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 57** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 57** (reference copy -- salmon) be amended as follows:

1. Page 1, line 27.
Strike: "IMPAIRMENT"
Insert: "disorder"

2. Page 1, line 28.
Strike: "DISORDER OR"
Insert: "substantial"

3. Page 1, line 29.
Strike: "AFFLICTED"

For the Senate:

Wheat, Chairman
Keenan
Mangan

For the House:

B. Thomas, Chairman
Gallus
Lange

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/11/2003

HB 9, introduced by Kasten
HB 100, introduced by Jent
HB 249, introduced by Barrett

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/11/2003

HB 5, introduced by Kasten

House amendments to Senate bills concurred in: 4/11/2003

SB 35, introduced by Grimes
SB 95, introduced by Stonington
SB 194, introduced by Tash
SB 230, introduced by Cromley
SB 231, introduced by Cromley
SB 232, introduced by Mahlum
SB 244, introduced by Story
SB 263, introduced by Grimes
SB 270, introduced by Harrington
SB 275, introduced by Laible
SB 282, introduced by Squires
SB 288, introduced by Mangan

SB 321, introduced by Laible
SB 344, introduced by Laible
SB 363, introduced by McNutt
SB 401, introduced by Wheat
SB 423, introduced by Black
SB 441, introduced by D. Ryan
SB 447, introduced by Grimes

House amendments to Senate bills not concurred in: 4/11/2003

SB 62, introduced by D. Ryan
SB 130, introduced by McGee
SB 252, introduced by Squires
SB 304, introduced by Johnson
SB 330, introduced by Mangan
SB 347, introduced by Keenan
SB 349, introduced by Anderson
SB 360, introduced by F. Thomas
SB 362, introduced by Grimes
SB 375, introduced by Elliott
SB 395, introduced by Perry

HB 404 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 404:**
4/11/2003

Senator Grimes, Chair
Senator Cromley
Senator Perry

HB 433 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 433:**
4/11/2003

Senator Grimes, Chair
Senator McCarthy
Senator Tash

HB 304 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 304:**
4/11/2003

Senator Johnson, Chair
Senator Stapleton
Senator Tropila

HB 509 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 509:**
4/11/2003

Senator Johnson, Chair
Senator McCarthy

Senator F. Thomas

HB 536 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 536:**

4/11/2003

Senator Perry, Chair
Senator Black
Senator Mangan

HB 564 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 564:**

4/11/2003

Senator Mahlum, Chair
Senator Anderson
Senator Cocchiarella

HB 689 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 689:**

4/11/2003

Senator Gebhardt, Chair
Senator McNutt
Senator Squires

HB 720 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 720:**

4/11/2003

Senator Tash, Chair
Senator Bales
Senator Nelson

SB 326 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 326:**

4/11/2003

Senator McGee, Chair
Senator Grimes
Senator Wheat

MESSAGES FROM THE GOVERNOR

April 11, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 160** sponsored by Representative Haines, **House Bill 417**

sponsored by Representative Golie et al., **House Bill 445** sponsored by Representative Pattison et al., **House Bill 546** sponsored by Representative Wagman et al., **House Bill 617** sponsored by Representative Mendenhall et al., and **House Bill 678** sponsored by Representative Lindeen on April 11, 2003.

Sincerely,

JUDY MARTZ
Governor

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Brown moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ballantyne in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Pattison present at this time.

HB 190 - **Senate Amendments** - Representative Younkin moved Senate amendments to **HB 190** be concurred in. Motion **failed** as follows:

Ayes: Everett, Fuchs, Hawk, Hedges, Maedje, Mendenhall, Pattison, Steinbeisser, Witt.
Total 9

Noes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 90

Voted Absentee: Gallus, Lindeen, Small-Eastman, Noes.

Excused: None.
Total 0

Absent or not voting: Malcolm.
Total 1

HB 701 - **Senate Amendments** - Representative Newman moved Senate amendments to **HB 701** be concurred in. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson,

Everett, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

Noes: Fuchs, Jent, Shockley.
Total 3

Voted Absentee: Gallus, Lindeen, Small-Eastman, Ayes.

Excused: None.
Total 0

Absent or not voting: Ballantyne, Facey, Malcolm.
Total 3

HJR 36 - Representative Pattison moved **HJR 36** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.
Total 84

Noes: Bergren, Bixby, Buzzas, Callahan, Cyr, Erickson, Fritz, Gutsche, Harris, Jayne, Juneau, Kaufmann, Windy Boy.
Total 13

Voted Absentee: Gallus, Lindeen, Small-Eastman, Ayes.

Excused: None.
Total 0

Absent or not voting: E. Clark, Gallik, Malcolm.
Total 3

HR 4 - Representative Wanzenried moved **HR 4** be adopted.

Representative Wagman moved **HR 4**, second reading copy, be amended as follows:

1. Page 1, line 21.
Strike: "."

Insert: "; and"

2. Page 1.
Following: line 22
Insert: "WHEREAS, President George W. Bush, as Commander-in-Chief of the Armed Forces of the United States, is always in our prayers."

Amendment **not** adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Everett, Fisher, Forrester, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lewis, Maedje, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Ross, Sales, Schrumpf, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 48

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lehman, Lenhart, Matthews, Musgrove, Newman, Noennig, Parker, Raser, Roberts, Rome, Ryan, Shockley, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 48

Excused: Gallus, Lindeen, Small-Eastman.
Total 3

Absent or not voting: Malcolm.
Total 1

Motion that **HR 4** be adopted carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Sinrud, Wagman.
Total 2

Voted Absentee: Gallus, Lindeen, Small-Eastman, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Ballantyne moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Facey, Fisher, Forrester, Fritz, Gallik, Galvin-Halcro, Gibson, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.
Total 78

Noes: Bergren, Bixby, R. Brown, Callahan, Erickson, Everett, Franklin, Fuchs, Gillan, Gutsche, Harris, Jayne, Juneau, Sinrud, Wagman, Windy Boy.
Total 16

Excused: Gallus, Lindeen, Small-Eastman.
Total 3

Absent or not voting: Ballantyne, Malcolm, Musgrove.
Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 89 concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Gallus, Lindeen, Small-Eastman.
Total 3

Absent or not voting: Malcolm.
Total 1

SB 243 concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Gallus, Lindeen, Small-Eastman.
Total 3

Absent or not voting: Malcolm.
Total 1

SB 454 concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Balyeat, Bergren, Lawson, Lewis, B. Olson, Sales, Shockley, Wanzenried.
Total 8

Excused: Gallus, Lindeen, Small-Eastman.
Total 3

Absent or not voting: Malcolm.
Total 1

SB 458 concurred in as follows:

Ayes: Andersen, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange,

Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Maedje, Matthews, McKenney, Mendenhall, Morgan, Newman, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrumpf, Sinrud, Smith, Steinbeisser, Stoker, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 54

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lawson, Musgrove, Noennig, Parker, Raser, Ryan, Sales, Shockley, Thomas, Wanzenried, Weiss, Wilson, Windy Boy.
Total 42

Excused: Gallus, Lindeen, Small-Eastman.
Total 3

Absent or not voting: Malcolm.
Total 1

MOTIONS

Representative R. Brown moved the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 190**. Motion carried.

The Speaker appointed the following members:

Representative Younkin, Chairman
Representative Hurwitz
Representative Windy Boy

Representative Laszloffy moved to **suspend the rules** for the late drafting, introduction, and transmittal of a bill to correct the language in HB 188. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Ross, Schrumpf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 88

Noes: Balyeat, Lambert, Lewis, Maedje, Ryan, Sales, Witt.
Total 7

Excused: Gallus, Lindeen, Small-Eastman.
Total 3

Absent or not voting: Malcolm, Rome.
Total 2

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 10:30 a.m., Monday, April 14, 2003. Motion carried.

House adjourned at 9:27 a.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House

SENATE JOURNAL
58TH LEGISLATURE
SEVENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana — Senate Chambers
April 11, 2003 — State Capitol

Senate convened at 1:00 p.m. President Keenan presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present except Senators Elliott and Shea, excused. Quorum present.

The presiding officer has authenticated the daily journal for the seventy-seventh legislative day.

SPECIAL ORDERS OF THE DAY

Baktybek Abdrisaev (Bock-Te-Beck Ahb-Dree-Sigh-Yev), Ambassador of the Republic of Kyrgyz, was welcomed to the Senate, where he gave a short speech.

REPORTS OF STANDING COMMITTEES

BILL REPORT

Correctly printed: **SB 492**, **SR 8**, **SR 9**.
Correctly engrossed: **HB 2**, **HB 5**, **HB 261**.
Correctly enrolled: **SB 13**, **SB 34**, **SB 65**, **SB 76**, **SB 80**, **SB 86**, **SB 98**, **SB 105**, **SB 110**, **SB 113**, **SB 137**, **SB 143**, **SB 146**, **SB 152**, **SB 159**, **SB 209**, **SB 226**, **SB 284**, **SB 389**, **SB 429**, **SB 432**, **SB 450**.
Examined by the sponsor and found to be correct: **SB 13**, **SJR 2**, **SJR 4**, **SJR 7**, **SJR 8**, **SJR 15**, **SJR 16**, **SJR 23**, **SJR 24**, **SJR 26**, **SJR 27**.
Signed by the President at 3:00 p.m., April 10, 2003: **SB 13**.
Signed by the President at 3:30 p.m., April 9, 2003: **SJR 2 SJR 4**, **SJR 7**, **SJR 8**, **SJR 15**, **SJR 16**, **SJR 23**, **SJR 24**, **SJR 26**, **SJR 27**.
Signed by the Secretary of the Senate at 3:30 p.m., April 10, 2003: **SB 13**.
Signed by the Secretary of the Senate at 12:30 p.m., April 10, 2003: **SJR 2 SJR 4**, **SJR 7**, **SJR 8**, **SJR 15**, **SJR 16**, **SJR 23**, **SJR 24**, **SJR 26**, **SJR 27**.
Signed by the Speaker at 3:20 p.m., April 10, 2003: **SB 13**.
Signed by the Speaker at 1:15 p.m., April 10, 2003: **SJR 2 SJR 4**, **SJR 7**, **SJR 8**, **SJR 15**, **SJR 16**, **SJR 23**, **SJR 24**, **SJR 26**, **SJR 27**.
Delivered to the Governor for approval at 4:00 p.m., April 10, 2003: **SB 13**.
Delivered to the Secretary of State at 3:59 p.m., April 10, 2003: **SJR 2 SJR 4**, **SJR 7**, **SJR 8**, **SJR 15**, **SJR 16**, **SJR 23**, **SJR 24**, **SJR 26**, **SJR 27**.
Examined by the sponsor and found to be correct: **SB 168**, **SB 191**, **SB 217**, **SB 306**, **SB 307**, **SB 316**, **SB 334**, **SB 449**, **SJR 11**, **SR 6**.
Signed by the President at 4:00 p.m., April 8, 2003: **SB 168**, **SB 191**, **SB 217**, **SB 306**, **SB 307**, **SB 316**, **SB 334**, **SB 449**, **SJR 11**, **SR 6**.
Signed by the Secretary of the Senate at 8:30 a.m., April 9, 2003: **SB 168**, **SB 191**, **SB 217**, **SB 306**, **SB 307**, **SB 316**, **SB 334**, **SB 449**, **SJR 11**, **SR 6**.
Signed by the Speaker at 9:35 a.m., April 9, 2003: **SB 168**, **SB 191**, **SB 217**, **SB 306**, **SB 307**, **SB 316**, **SB 334**, **SB 449**.
Delivered to the Governor for approval at 10:35 a.m., April 11, 2003: **SB 168**, **SB 191**, **SB 217**, **SB 306**, **SB 307**, **SB 316**, **SB 334**, **SB 449**.
Delivered to the Secretary of State at 11:55 a.m., April 11, 2003: **SJR 11**, **SR 6**,

FINANCE AND CLAIMS (Zook, Chairman): 4/8/2003
SB 491, do pass. Report adopted.

HB 4, be amended as follows:

1. Page 1.
Following: line 23
Insert: "State Auditor's Office
Securities

National White Collar Crime Center	2003	$39,311	Federal Funds"

2. Page 2.
Following: line 1
Insert: "Board of Crime Control
Justice System Support Services

Forensic Science Improvements	2003	$29,178	Federal Funds

All remaining fiscal year 2003 federal budget amendment authority for forensic science improvements is authorized to continue into state fiscal year 2004."

3. Page 2.
Following: line 5
Insert: "Division of Criminal Investigation

All remaining fiscal year 2003 federal budget amendment authority for the Rocky Mountain high intensity drug trafficking area is authorized to continue into state fiscal year 2004.

Forensic Sciences Division

All remaining fiscal year 2003 federal budget amendment authority for the Rocky Mountain high intensity drug trafficking area is authorized to continue into state fiscal year 2004.

Montana Arts Council
Promotion of the Arts

All remaining fiscal year 2003 federal budget amendment authority from the national endowment for the arts virtual exhibit of Montana folklife and folk art is authorized to continue into state fiscal year 2004."

4. Page 2, line 24.
Strike: "$60,735"
Insert: "$63,165"

5. Page 3.
Following: line 7
Insert: "Fish Restoration and Irrigation Mitigation Act

	2003	$15,720	Federal Funds
Native Fishes at Fort Peck Dam			
	2003	$461,203	Federal Funds"

6. Page 3, line 9.
Following: "HATCHERY"
Insert: "and Fish Restoration and Irrigation Mitigation Act"

7. Page 3.
Following: line 21
Insert: "Parks Division

Lewis and Clark Bicentennial	2003	$65,000	Federal Funds

All remaining fiscal year 2003 federal budget amendment authority for the Lewis and Clark bicentennial is authorized to continue into state fiscal year 2005."

8. Page 4.
Following: line 4
Insert: "Department of Livestock
Animal Health Division
Greater Yellowstone Interagency Brucellosis Committee

	2003	$61,533	Federal Funds

All remaining fiscal year 2003 federal budget amendment authority for the greater Yellowstone interagency brucellosis committee is authorized to continue into state fiscal year 2004."

9. Page 4.
Following: line 13
Insert: "Stryker Basin Trail System Grant

	2003	$7,292	Federal Funds
Hazardous Fuel Reduction	2003	$232,500	Federal Funds
Fire Suppression	2003	$690,569	Federal Funds"

10. Page 4.
Following: line 15
Insert: "All remaining fiscal year 2003 federal budget amendment authority for the Stryker basin trail system grant is authorized to continue into state fiscal year 2004."

11. Page 4.
Following: line 30
Insert: "Organic Producers' Cost Share

	2003	$110,000	Federal Funds

All remaining fiscal year 2003 federal budget amendment authority for the organic producers' cost share is authorized to continue in to federal fiscal year 2004."

12. Page 6.
Following: line 7

Insert: "Communications Funding	2003	$375,524	Federal Funds
Army Recruiting Office Lease	2003	$18,000	Federal Funds

All remaining fiscal year 2003 federal budget amendment authority for communications funding and for the army recruiting office lease is authorized to continue into state fiscal year 2004."

13. Page 6.
Following: line 9
Insert: "MTANG Firefighter 2003 $32,000 Federal Funds

All remaining fiscal year 2003 federal budget amendment authority for MTANG firefighter funds is authorized to continue into state fiscal year 2004."

14. Page 6.
Following: line 21
Insert: "2003 LIEAP Award 2003 $1,038,139 Federal Funds
Food Stamp Program 2003 $6,000,000 Federal Funds"

15. Page 6, line 22.
Following: "for"
Insert: "the 2003 LIEAP award, the food stamp program, and"

16. Page 6.
Following: line 26
Insert: "Child Support Enforcement Division
Special Improvement Project 2003 $149,464 Federal Funds

All remaining fiscal year 2003 federal budget amendment authority for the special improvement project is authorized to continue into state fiscal year 2004."

And, as amended, be concurred in. Report adopted.

HB 7, be concurred in. Report adopted.
HB 11, be amended as follows:

1. Title, page 1, line 8.
Following: "AND" on line 8
Insert: "APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR FINANCIAL ASSISTANCE"

2. Page 5, line 29.
Strike: "commerce"
Insert: "natural resources and conservation"

3. Page 6, line 19.
Strike: "commerce"
Insert: "natural resource and conservation"

And, as amended, be concurred in. Report adopted.

HB 13, be amended as follows:

1. Page 14, line 14.
Following: "2-18-701"

Strike: "and"
Insert: ","

2. Page 14, line 14 through line 17.
Following: "legislature,"
Strike: "the employer" on line 14 through "For" on line 17
Insert: "and for"

And, as amended, be concurred in. Report adopted.

HB 18, be amended as follows:

1. Title, line 9.
Following: "DATE"
Insert: "AND A TERMINATION DATE"

2. Page 2.
Following: line 10
Insert: "NEW SECTION. **Section 5. Termination.** [This act] terminates June 30, 2005."

And, as amended, be concurred in. Report adopted.

HB 42, be amended as follows:

1. Title, line 8 through line 9.
Strike: "AND" on line 8 through "APPROPRIATION" on line 9

2. Title, line 10.
Following: "ALLOCATED"
Insert: "FOR RESIDENTS"

3. Title, line 11.
Strike: "17-7-502,"

4. Title, line 11.
Strike: "87-1-268,"
Strike: "87-2-504, 87-2-505, 87-2-510, 87-2-511, 87-2-512,"

5. Page 3, line 3 through line 4.
Strike: "That portion" on line 3 through "17-7-502." on line 4

6. Page 3, line 14 through page 4, line 12.
Strike: section 6 in its entirety
Renumber: subsequent sections

7. Page 7, line 3 through line 13.
Strike: section 8 in its entirety
Renumber: subsequent sections

8. Page 11, line 9.
Strike: "Class B-10, Class B-11,"

9. Page 12, line 18 through page 20, line 17.
Strike: sections 12 through 16 in their entirety
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HB 363, be amended as follows:

1. Title, line 10.
Following: "1990;"
Insert: "TRANSFERRING TO THE GENERAL FUND MONEY FROM THE RESERVES FOR CLAIMS OCCURRING BEFORE JULY 1, 1990;"

2. Page 1, line 20.
Strike: "**for payment of claims**"

3. Page 2, line 21.
Following: "2004" on line 21
Strike: ","
Insert: ": (i)"

4. Page 2, line 22.
Following: "FUND"
Insert: "; and (ii) $30 million must be transferred to the general fund from the reserves for claims for injuries that occurred before July 1, 1990"

5. Page 3, line 1.
Strike: "If"
Insert: "Except with respect to funds transferred pursuant to subsection (5)(b)(ii), if"

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Butcher, Chairman): 4/11/2003
SB 489, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 6.
Strike: "FROM THE" on line 4 through "DAKOTA BORDER" on line 6
Insert: "IN MONTANA"

2. Page 2, line 2 through line 6.
Following: "trail is"
Insert: "the"
Strike: "15 from" on line 2 through "Dakota border" on line 6
Insert: "system in Montana"

3. Page 2, line 14.

Strike: "[section 1] and"
Strike: "of this section"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **House Bill 283**
Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 283** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 283** (reference copy -- salmon) be accepted by the House.

For the House:	For the Senate
Fuchs, Vice Chairman	Sprague, Chairman
Balyeat	McGee
Jent	Shea

MESSAGES FROM THE GOVERNOR

April 10, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Senator Keenan:

Please be informed that I have signed **Senate Bill 118** sponsored by Senator DePratu, **Senate Bill 211** sponsored by Senator Hansen, and **Senate Bill 292** sponsored by Senator Cocchiarella et al. on April 10, 2003.

Sincerely,

JUDY MARTZ
Governor

April 10, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Senator Keenan:

Attached is our fourth list of board appointments not yet confirmed by the Montana Legislature. These names were inadvertently left off of Report No. 2. We have supplied the following information for each member:

Board Name
Member Name
Member Address and Phone Numbers
Brief Member Biography
Position Requirement

If I or my staff can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

JUDY MARTZ
Governor

SENATE CONFIRMATION REPORT
2003

Board of Personnel Appeals **MCA 2-15-1705**

Steve Johnson
200 W. Broadway
Missoula, MT 59802
HPH: 523-4874
BPH: 721-5700

Appt: 02/06/03
Term: 01/01/07
Qual: Representative of management in collective bargaining

Steve has been a management representative in collective bargaining for more than twelve years. For the past five years he has worked as the Director of Personnel and Labor Relations for Missoula County.

Patrick Dudley
P.O. Box 3300
Butte, MT 59702
HPH: 782-3688
BPH: 723-2500

Appt: 02/06/03
Term: 01/01/07
Qual: Representative of substitute management with Collective bargaining experience

Pat is a registered Medical Technologist at St. James Community Hospital in Butte. He has been the Human Resources Director for ten years. Pat was the Education Director and Employment Supervisor prior to his current position.

Joe Dwyer
P.O. Box 50969
Billings, MT 59105
HPH: 248-2658
BPH: 248-2658

Appt: 02/06/03
Term: 01/01/07
Qual: Representative of labor

Joe Dwyer is the current Secretary Treasurer of Teamsters Local 190. He has held that position since 1997. Prior to his election as Secretary Treasurer he was Business Agent for the local. In both capacities he has represented his

members in public as well as public sector collective bargaining matters**.**

April 10, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Mood and President Keenan:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 693, "AN ACT PROVIDING THAT CHILD SUPPORT OBLIGATIONS DETERMINED PURSUANT TO ADMINISTRATIVE PROCEDURE ARE EFFECTIVE IMMEDIATELY UPON SERVICE OF A NOTICE OF FINANCIAL RESPONSIBILITY ON THE PARENT OR PARENTS AND THAT FINAL ORDERS ARE RETROACTIVE TO THAT DATE; PROVIDING THAT A NOTICE OF FINANCIAL RESPONSIBILITY MUST INCLUDE A STATEMENT REGARDING ITS IMMEDIATE EFFECTIVENESS; AMENDING SECTION 40-5-225, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE" for the following reasons:

House Bill No. 693 provides child support during the pendency of a child support establishment action before the Child Support Enforcement Division (CSED). This raises constitutional issues, specifically due process violations. The enforcement of private rights, including notice and right to a fair hearing before a tribunal with the power to decide a case, is paramount.

Currently, Montana law provides that an administrative child support order must be first adjudicated, with notice and opportunity for a hearing, prior to any enforcement action. Further, no enforcement is allowed until the final order is entered.

For these reasons, I recommend that House Bill No. 693, Section 40-5-225 (2)(c) in pertinent part read: The notice must include a statement that the monthly support obligation is effective on the date of service of the notice, *unless an objection is made and a hearing is requested,* and may be collected during the proceeding that establishes the support obligation by any remedy available to the department for the enforcement of child support obligations.
I have enclosed my amendment to that effect. Please be advised that Representative Sinrud, the sponsor of the bill, has been informed of my recommendation and has no objection.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO **HOUSE BILL 693**

1. Page 1, line 24.
Following: "notice"
Insert: ", unless an objection is made and a hearing is requested,"

MESSAGES FROM THE OTHER HOUSE

Senate amendments to House bills **concurred in:** 4/10/2003

HB 105, introduced by B. Olson
HB 223, introduced by Lawson
HB 253, introduced by Hedges
HB 266, introduced by Jacobson
HB 270, introduced by Bergren
HB 338, introduced by Keane
HB 396, introduced by Gibson
HB 410, introduced by Younkin
HB 451, introduced by E. Clark
HB 468, introduced by Gillan
HB 521, introduced by Balyeat
HB 525, introduced by Keane
HB 537, introduced by Lawson
HB 540, introduced by Gallik
HB 553, introduced by Gallik
HB 556, introduced by Gallik
HB 563, introduced by Laszloffy
HB 577, introduced by Brueggeman
HB 588, introduced by Matthews

Governor's amendments to House bill **concurred in** and transmitted to the Senate for concurrence in the Governor's amendments:

4/10/2003

HB 185, introduced by Wilson

SB 126 - The House acceded to the request of the Senate and authorized the Speaker to appoint a **Free** Conference Committee to meet with a like committee from the Senate to concur on **SB 126.** The Speaker appointed the following members:

4/10/2003

Representative Devlin, Chair
Representative Laslovich
Representative Waitschies

HB 424 - The House failed to concur in Senate amendments to **HB 424,** authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 424:**

4/10/2003

Representative Bitney, Chair
Representative Roberts
Representative Jent

HB 680 - The House failed to concur in Senate amendments to **HB 680,** authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 680:**

4/10/2003

Representative Noennig, Chair
Representative Becker
Representative Younkin

HJR 31 - The House failed to concur in Senate amendments to **HJR 31,** authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HJR 31:**

4/10/2003

Representative B. Thomas, Chair
Representative Facey
Representative Stoker

MOTIONS

FREE CONFERENCE COMMITTEES

SB 326 - Senator Thomas moved the President be authorized to appoint a **Free** Conference Committee, and request the House to appoint a like committee, to confer on **SB 326**. Motion carried. The President appointed the following members:

Senator McGee, Chair
Senator Grimes
Senator Wheat

HB 304 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 304**. Motion carried. The President appointed the following members:

Senator Johnson, Chairman
Senator Stapleton
Senator Tropila

HB 509 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 509**. Motion carried. The President appointed the following members:

Senator Johnson, Chair
Senator Thomas
Senator McCarthy

HB 536 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 536**. Motion carried. The President appointed the following members:

Senator Perry, Chair

Senator Black
Senator Mangan

HB 564 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 564**. Motion carried. The President appointed the following members:

Senator Mahlum, Chair
Senator Anderson
Senator Cocchiarella

HB 689 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 689**. Motion carried. The President appointed the following members:

Senator Gebhardt, Chair
Senator McNutt
Senator Squires

HB 720 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 720**. Motion carried. The President appointed the following members:

Senator Tash, Chair
Senator Bales
Senator Nelson

CONFERENCE COMMITTEES

HB 404 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Conference** Committee to meet with a like committee from the House to confer on Senate Amendments to **HB 404**. Motion carried. The President appointed the following members:

Senator Grimes, Chair
Senator Perry
Senator Cromley

HB 433 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Conference** Committee to meet with a like committee from the House to confer on Senate Amendments to **HB 433**. Motion carried. The President appointed the following members:

Senator Grimes
Senator Tash
Senator McCarthy

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Senator Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on

second reading. Motion carried. President Keenan retained the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 366 - House Amendments - Senator Grimes moved House amendments to **SB 366** be concurred in. Motion carried unanimously.

*****SB 362 - House Amendments** - Senator Grimes moved House amendments to **SB 362** be **not** concurred in. Motion carried unanimously.

Senator Grimes assumed the chair.

SB 247 - House Amendments - Senator Cobb moved House amendments to **SB 247** be concurred in. Motion carried unanimously.

SB 485 - Senator Keenan moved **SB 485**, second reading copy, be amended as follows:

1. Title, page 1, line 14.
Following: "ACCOUNT"
Insert: "AND ALLOCATING ACCOUNT PROCEEDS"

2. Page 2, line 23.
Strike: "State special revenue"
Insert: "Prevention and stabilization"
Following: "account"
Insert: "-- allocation of proceeds"
Following: "."
Insert: "(1)"

3. Page 2.
Following: "line 25"
Insert: "(2)(a) Funds in the prevention and stablization account must be used for the following programs in order of priority:

(i) prescription drugs for adults with a serious and disabling mental illness eligible for programs initiated pursuant to 53-21-702(2) and (3);

(ii) the Montana initiative for the abatement of mortality in infants administered pursuant to 50-19-301;

(iii) stabilization of rates for medicaid mental health services;

(iv) medicaid hospice services;

(v) extended employment;

(vi) independent living; and

(vii) home health therapy services.

(b) Funds remaining after allocations to the priorities in subsection (2)(a) may be expended for other programs as directed in 17-6-606(1)."

Amendment **adopted** unanimously.

SB 485 - Senator Cobb moved **SB 485**, as amended, do pass. Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Bohlinger, Butcher, Cobb, Cocchiarella, Cromley, Curtiss, DePratu, Ellingson, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, O'Neil, Pease, Perry, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Tropila, Wheat, Zook, Mr. President.
Total 42

Nays: Black, Cooney, Roush, Tester, Toole.
Total 5

Absent or not voting: None.
Total 0

Excused: Elliott, McGee, Shea.
Total 3

SB 348 - House Amendments - Senator Keenan moved House amendments to **SB 348** be concurred in. Motion carried unanimously.

***SB 349 - House Amendments** - Senator Anderson moved House amendments to **SB 349** be **not** concurred in. Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Sprague, Story, Tash, Taylor, Thomas, Zook, Mr. President.
Total 25

Nays: Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Hansen, Harrington, Kitzenberg, Mangan, McCarthy, Nelson, Pease, Roush, Ryan, Schmidt, Squires, Stapleton, Stonington, Tester, Toole, Tropila, Wheat.
Total 23

Absent or not voting: None.
Total 0

Excused: Elliott, Shea.
Total 2

SB 387 - House Amendments - Senator Cobb moved House amendments to **SB 387** be concurred in. Motion carried unanimously.

SB 400 - House Amendments - Senator Toole moved House amendments to **SB 400** be concurred in. Motion carried unanimously.

SB 434 - House Amendments - Senator Tropila moved House amendments to **SB 434** be concurred in. Motion carried unanimously.

SB 46 - House Amendments - Senator Gebhardt moved House amendments to **SB 46** be concurred in. Motion carried unanimously.

*****SB 62 - House Amendments** - Senator D. Ryan moved House amendments to **SB 62** be **not** concurred in. Motion carried unanimously.

*****SB 130 - House Amendments** - Senator McGee moved House amendments to **SB 130** be **not** concurred in. Motion carried unanimously.

SB 246 - House Amendments - Senator Glaser moved House amendments to **SB 246** be concurred in. Motion carried unanimously.

*****SB 252 - House Amendments** - Senator Squires moved House amendments to **SB 252** be **not** concurred in. Motion carried unanimously.

*****SB 304 - House Amendments** - Senator Johnson moved House amendments to **SB 304** be **not** concurred in. Motion carried unanimously.

SB 337 - House Amendments - Senator Tropila moved House amendments to **SB 337** be concurred in. Motion carried unanimously.

*****SB 347 - House Amendments** - Senator Keenan moved House amendments to **SB 347** be **not** concurred in. Motion carried unanimously.

*****SB 360 - House Amendments** - Senator F. Thomas moved House amendments to **SB 360** be **not** concurred in. Motion carried unanimously.

SB 364 - House Amendments - Senator Cooney moved House amendments to **SB 364** be concurred in. Motion carried unanimously.

SB 370 - House Amendments - Senator Gebhardt moved House amendments to **SB 370** be concurred in. Motion carried unanimously.

SB 383 - House Amendments - Senator Bales moved House amendments to **SB 383** be concurred in. Motion carried unanimously.

Senator Elliott present at this time.

SB 386 - House Amendments - Senator Gebhardt moved House amendments to **SB 386** be concurred in. Motion carried unanimously.

SB 392 - House Amendments - Senator Bales moved House amendments to **SB 392** be concurred in. Motion carried unanimously.

*****SB 395 - House Amendments** - Senator Perry moved House amendments to **SB 395** be **not** concurred in. Motion carried unanimously.

SB 402 - House Amendments - Senator Cocchiarella moved House amendments to **SB 402** be concurred in. Motion carried unanimously.

SB 406 - House Amendments - Senator McGee moved House amendments to **SB 406** be concurred in. Motion carried unanimously.

SB 442 - **House Amendments** - Senator Stonington moved House amendments to **SB 442** be concurred in. Motion carried unanimously.

SB 444 - **House Amendments** - Senator Tester moved House amendments to **SB 444** be concurred in. Motion carried unanimously.

SJR 22 - **House Amendments** - Senator McGee moved House amendments to **SJR 22** be concurred in. Motion carried unanimously.

Senator Shea present at this time.

HB 452 - Senator Ellingson moved **HB 452** be concurred in. Motion carried with Senators Barkus, Glaser, Johnson, and Perry voting nay.

HB 539 - Senator Bohlinger moved **HB 539** be concurred in. Motion carried unanimously.

HB 558 - Senator Mahlum moved **HB 558** be concurred in. Motion carried unanimously.

HB 631 - Senator Laible moved **HB 631** be concurred in. Motion carried unanimously.

HB 721 - Senator Taylor moved **HB 721** be concurred in. Motion carried with Senators Esp and Perry voting nay.

HB 761 - Senator Wheat moved **HB 761** be concurred in. Motion carried with Senator O'Neil voting nay.

SJR 28 - Senator Bohlinger moved **SJR 28** do pass. Motion **failed** as follows:

Yeas: Anderson, Barkus, Black, Bohlinger, Cobb, Cromley, Ellingson, Glaser, Harrington, Johnson, Laible, Mahlum, McNutt, O'Neil, Pease, Perry, Sprague, Stapleton, Tash, Taylor, Thomas, Toole, Tropila, Wheat.
Total 24

Nays: Bales, Butcher, Cocchiarella, Cooney, Curtiss, DePratu, Elliott, Esp, Gebhardt, Grimes, Hansen, Kitzenberg, Mangan, McCarthy, McGee, Nelson, Roush, Ryan, Schmidt, Shea, Squires, Stonington, Story, Tester, Zook, Mr. President.
Total 26

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 28 - Senator F. Thomas moved **SJR 28** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bales, Butcher, Cobb, Cocchiarella, Cooney, Curtiss, DePratu, Elliott, Esp, Gebhardt, Grimes, Hansen, Harrington, Kitzenberg, Laible, Mangan, McCarthy, McGee, McNutt, Nelson, Roush, Ryan, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tester, Toole, Wheat, Zook, Mr. President.
Total 33

Nays: Anderson, Barkus, Black, Bohlinger, Cromley, Ellingson, Glaser, Johnson, Mahlum, O'Neil, Pease, Perry,

Schmidt, Tash, Taylor, Thomas, Tropila.
Total 17

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 29 - Senator Toole moved **SJR 29** be adopted. Motion carried as follows:

Yeas: Anderson, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, DePratu, Ellingson, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tash, Tester, Toole, Tropila, Wheat, Mr. President.
Total 37

Nays: Bales, Barkus, Black, Curtiss, Elliott, Esp, Glaser, McNutt, Stapleton, Thomas, Zook.
Total 11

Absent or not voting: None.
Total 0

Excused: Gebhardt, Taylor.
Total 2

SJR 31 - Senator Tash moved **SJR 31** be adopted. Motion carried unanimously.

SB 340 - **House Amendments** - Senator McGee moved consideration of House amendments to **SB 340** be passed for the day. Motion carried unanimously.

*****SB 375** - **House Amendments** - Senator Elliott moved House amendments to **SB 375** be **not** concurred in. Motion carried unanimously.

SB 381 - **House Amendments** - Senator Keenan moved House amendments to **SB 381** be concurred in. Motion carried unanimously.

*****SB 330** - **House Amendments** - Senator Mangan moved House amendments to **SB 330** be **not** concurred in. Motion carried unanimously.

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Keenan in the chair. Chairman Grimes moved the Committee of the Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 35, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 95, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 194, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Harrington, Johnson, Kitzenberg, Laible, Mahlum, McCarthy, McGee, McNutt, Nelson, O'Neil, Perry, Shea, Sprague, Squires, Stapleton, Story, Tash, Taylor, Tester, Thomas, Wheat, Zook, Mr. President.
Total 38

Nays: Cooney, Cromley, Ellingson, Hansen, Mangan, Pease, Roush, Ryan, Schmidt, Stonington, Toole, Tropila.
Total 12

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 230, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 231, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: McGee.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 232, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cromley, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Kitzenberg, Laible, Mahlum, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Tropila, Zook, Mr. President.
Total 40

Nays: Cooney, Ellingson, Elliott, Johnson, Mangan, Schmidt, Squires, Tester, Toole, Wheat.
Total 10

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 244, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, O'Neil, Pease, Perry, Roush, Ryan, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Tropila, Wheat, Zook, Mr. President.
Total 45

Nays: Cooney, Cromley, Nelson, Schmidt, Toole.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 263, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 270, as amended by the House, passed as follows:

Yeas: Barkus, Black, Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Glaser, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Tash, Tester, Toole, Tropila, Wheat.
Total 34

Nays: Anderson, Bales, Butcher, Curtiss, DePratu, Esp, Gebhardt, Grimes, McGee, Nelson, O'Neil, Story, Taylor,

Thomas, Zook, Mr. President.
Total 16

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 275, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Schmidt, Shea, Sprague, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 45

Nays: Cromley, Ellingson, Ryan, Squires, Tester.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 282, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 288, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea,

Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 321, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Tropila, Wheat, Zook, Mr. President.
Total 46

Nays: Cromley, Ellingson, Tester, Toole.
Total 4

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 344, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 363, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cocchiarella, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, McCarthy, McGee, McNutt, Nelson, Pease, Perry, Roush, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Tropila, Zook, Mr. President.
Total 33

Nays: Cobb, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Mangan, O'Neil, Ryan, Schmidt, Shea, Squires, Stonington, Tester, Toole, Wheat.
Total 17

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 401, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 423, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cromley, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Shea, Sprague, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Tropila, Wheat, Zook, Mr. President.
Total 41

Nays: Cooney, Ellingson, Elliott, Hansen, Ryan, Schmidt, Squires, Tester, Toole.
Total 9

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 441, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: Esp.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 447, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cooney, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, O'Neil, Pease, Perry, Roush, Schmidt, Sprague, Stonington, Story, Tash, Taylor, Thomas, Wheat, Zook, Mr. President.
Total 36

Nays: Cobb, Cocchiarella, Cromley, Ellingson, Hansen, Harrington, Nelson, Ryan, Shea, Squires, Stapleton, Tester, Toole, Tropila.
Total 14

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 5, as amended by the Senate, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 9 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 47

Nays: Butcher, McGee, O'Neil.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 100 concurred in as follows:

Yeas: Bales, Barkus, Black, Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 44

Nays: Anderson, Butcher, Esp, McGee, Stapleton, Taylor.
Total 6

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 249 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: Stapleton.

Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILL REPORT
Correctly engrossed: **SB 421**, **SB 490**, **HB 748**, **HJR 2**.
Correctly enrolled: **SB 111, SB 115, SR 4, SR 5.**

FINANCE AND CLAIMS (Zook, Chairman): 4/11/2003
HB 3, be amended as follows:

1. Page 1, line 22.
Strike: "$2,497,863"
Insert: "$1,325,762"

2. Page 1, line 28.
Strike: line 28 in its entirety

And, as amended, be concurred in. Report adopted.

HB 261, be amended as follows:

1. Title, line 9.
Strike: "$8"
Insert: "$5"
Strike: "$15"
Insert: "$10"

2. Title, line 12 through line 13.
Following: "LOAN" on line 12
Strike: remainder of line 12 through "PERMANENT" on line 13

3. Title, line 14.
Strike: "3-5-904,"

4. Title, line 15.
Following: "MCA,"
Strike: "SECTION 4, CHAPTER 361, LAWS OF 1995, SECTION 1, CHAPTER 71,, LAWS OF 1999,"

5. Page 3, line 26 through line 30.
Strike: section 1 in its entirety
Renumber: subsequent sections

6. Page 7, line 4.
Strike: "$13"
Insert: "$10"

7. Page 7, line 5.
Strike: "$13"
Insert: "$10"

8. Page 7, line 7.
Strike: "$8"
Insert: "$5"

9. Page 10, line 14.
Strike: "$13"
Insert: "$10"

10. Page 10, line 15.
Strike: "$13"
Insert: "$10"

11. Page 10, line 17.
Strike: "$8"
Insert: "$5"

12. Page 13, line 17.
Strike: "$13"
Insert: "$10"

13. Page 13, line 18.
Strike: "$13"
Insert: "$10"

14. Page 13, line 19.
Strike: "$8"
Insert: "$5"

15. Page 17, line 19.
Strike: "$15"
Insert: "$10"

16. Page 17, line 21.
Strike: "$15"
Insert: "$10"

17. Page 19, line 19.
Strike: "$15"
Insert: "$10"

18. Page 19, line 21.
Strike: "$15"
Insert: "$10"

19. Page 21, line 18.
Strike: "$15"
Insert: "$10"

20. Page 21, line 20.
Strike: "$15"
Insert: "$10"

21. Page 21, line 25.
Strike: "$13"
Insert: "$10"

22. Page 21, line 28.
Strike: "$13"
Insert: "$10"

23. Page 21, line 29.
Strike: "$8"
Insert: "$5"

24. Page 22, line 13.
Strike: "$8"
Insert: "$5"

25. Page 22, line 16 through line 17.
Following: "account" on line 16
Strike: remainder of line 16 through "(A)" on line 17

26. Page 22, line 19.
Strike: "(I)"
Insert: "(a)"
Renumber: subsequent subsection

27. Page 22, line 22 through line 24.
Strike: line 22 through "3-5-904" on line 24

28. Page 22, line 26 through page 23, line 3.
Strike: section 11 through section 12 in their entirety
Renumber: subsequent sections

29. Page 23, line 24 through line 26.
Strike: section 15 in its entirety
Insert: "NEW SECTION. **Section 12. Coordination instruction.** If House Bill No. 538 and [this act] are both passed and approved, then:

(1) [Section 11] of [this act], amending section 9, Chapter 394, Laws of 2001, is void.

(2) [Section 9] of [this act] must read:

"**Section 9.** Section 61-3-550, MCA, is amended to read:

"**61-3-550. (Temporary) Motor vehicle information technology system account.** (1) There is a motor vehicle information technology system account in the state special revenue fund provided for in 17-2-102.

(2) Fees received by the department ~~of revenue~~ pursuant to 61-3-103 and $5 of each fee received under 61-3-203 or 61-3-204 for a certificate of title must be deposited in the account.

(3) The money in the motor vehicle information technology system account must be appropriated by the legislature to the department of justice and must be used by the department for the purpose of:

(a) repaying any indebtedness or loan incurred for the creation of a new information technology system for motor vehicles; or

(b) payment of costs directly incurred in the creation and support of the new motor vehicle information technology system. ~~(Terminates June 30, 2011--sec. 9, Ch. 394, L. 2001.)~~""

"

Renumber: subsequent sections

30. Page 24, line 2.
Strike: "14"
Insert: "11"

31. Page 24, line 5.
Strike: "10"
Insert: "9"

And, as amended, be concurred in. Report adopted.

HB 722, be amended as follows:

1. Page 7.
Following: line 27
Insert: "(3) If House Bill No. 727 is passed and approved, [section 15 of this act] is void and the following money is appropriated to the department of public health and human services:

(a) from the general fund for the payment of the utilization fees created in [section 2]:

Fiscal year 2003 $426,018
Fiscal year 2004 $833,971
Fiscal year 2005 $798,486

(b) from the state special revenue account in [section 14 of this act] for the purposes of financing, administering, and providing health and human services:

Fiscal year 2003 $298,213
Fiscal year 2004 $583,780
Fiscal year 2005 $558,940

(c) from federal special revenue for the purposes of financing, administering, and providing health and human services:

Fiscal year 2003 $1,114,118
Fiscal year 2004 $2,176,598
Fiscal year 2005 $2,046,753"

And, as amended, be concurred in. Report adopted.

HB 744, be amended as follows:

1. Title, page 1, line 8.
Following: "POSSIBLE;"
Insert: "DIRECTING THE DEPARTMENT TO EVALUATE THE PROPOSED MEDICAID BLOCK GRANT AS PART OF REFINANCING ACTIVITIES AND REPORT FINDINGS AT EACH REGULAR MEETING OF THE LEGISLATIVE FINANCE COMMITTEE; DIRECTING THAT THE GOVERNOR MAY NOT OPT TO ACCEPT A MEDICAID BLOCK GRANT WITHOUT LEGISLATIVE CONSENT IF THE DECISION TO ACCEPT THE GRANT CAN BE DELAYED UNTIL THE NEXT REGULAR SESSION OF THE LEGISLATURE;"

2. Page 1.
Following: line 22
Insert: "NEW SECTION. **Section 2. Evaluation of proposed medicaid block grant and acceptance of grant.** (1) As part of its refinancing duties, the department of public health and human services shall evaluate the proposed medicaid block grant and report its findings with respect to the criteria in subsection (2) to the legislative finance committee at each regular meeting of the committee.

(2) The department shall use the following criteria in its evaluation of the proposed medicaid block grant compared to other medicaid funding alternatives from which the state may choose:

(a) total cost to the state over the life of the block grant and during each year of the block grant compared to the state cost of maintaining medicaid eligibility and service levels funded by the legislature during the current biennium;

(b) types of flexibility;

(c) advantages and disadvantages; and

(d) policy choices that may occur.

(3)(a) The legislative finance committee shall review and analyze the department's findings and make a recommendation to the governor and to the department with regard to acceptance or rejection of the block grant if the state is required to make a decision as to whether to accept or reject the block grant prior to the next regular convening of the legislature.

(b) The governor shall consider the recommendation of the legislative finance committee and provide a written rationale to the committee if the recommendation of the committee is not followed.

(4)If federal laws allow the state to delay the decision as to whether to accept the medicaid block grant until the next regular session of the legislature, the governor may not opt to accept the medicaid block grant without legislative consent."

Renumber: subsequent sections

3. Page 2, line 12.
Following: "section"
Strike: "2"
Insert: "3"

4. Page 2, line 15.
Following: "section"
Strike: "2"
Insert: "3"

5. Page 4, line 27.
Following: "section"

Strike: "2"
Insert: "3"

6. Page 5, line 20.
Following: "Sections"
Strike: "and 2"
Insert: "through 3"

7. Page 5, line 22.
Following: "sections"
Strike: "and 2"
Insert: "through 3"

And, as amended, be concurred in. Report adopted.

HB 767, be amended as follows:

1. Page 3, line 10 through line 11.
Following: "(a)"
Strike: remainder of line 10 through "description" on line 11
Insert: "the driver's or licensee's name, driver's license number, and date of birth"

2. Page 3, line 19 through line 20.
Following: "records" on line 19
Strike: remainder of line 19 through "furnished" on line 20
Insert: "a change in license status or conviction activity is to be reported"

3. Page 3, line 28.
Strike: "$1"
Insert: "8 cents"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Grimes, Chairman): 4/11/2003
SJR 32, introduced joint resolution, be amended as follows:

1. Title, line 8.
Following: "THE"
Strike: "RELATIONSHIP BETWEEN"
Following: "COSTS"
Insert: "AND AVAILABILITY"
Following: "OF"
Strike: "PROFESSIONAL"

2. Title, line 9.
Following: "AND"
Insert: "HEALTH CARE"

Following: "PROVIDERS"
Insert: "ASSOCIATED WITH HEALTH CARE FACILITIES"

3. Title, line 9 through line 10.
Strike: "," on line 9 through "MONTANA" on line 10

4. Page 1, line 13.
Following: "cost of"
Strike: "professional"

5. Page 1, line 18.
Following: "provide"
Strike: "professional"

6. Page 1, line 20.
Following: "for"
Strike: "professional"

7. Page 1, line 21.
Following: "years,"
Strike: "are"
Insert: "may be"

8. Page 1, line 23.
Following: "for"
Strike: "professional"
Following: "and"
Insert: "health care"
Following: "providers"
Insert: "associated with health care facilities"

9. Page 1, line 24.
Following: line 23
Strike: "are"
Insert: "may be"
Following: "in"
Strike: "rural areas of"

10. Page 1, line 26 through line 27.
Strike: line 26 through line 27 in their entirety

11. Page 1, line 29.
Following: "for"
Strike: "professional"

12. Page 1, line 30.
Following: "and"
Insert: "health care"

Following: "providers"
Insert: "associated with health care facilities"

13. Page 2, line 4.
Following: "the"
Strike: "relationship between"
Following: "costs"
Insert: "and availability"
Following: "of"
Strike: "professional"

14. Page 2, line 5.
Following: the first "and"
Insert: "health care"

15. Page 2, line 5 through line 6.
Following: "providers" on line 5
Strike: remainder of line 5 through "Montana" on line 6
Insert: "associated with health care facilities"

16. Page 2, line 7.
Following: "the"
Strike: "professional"

17. Page 2, line 8.
Following: "to"
Strike: "professional"
Following: "and"
Insert: "health care"
Following: "providers"
Insert: "associated with health care facilities"

18. Page 2, line 9.
Following: "increasing"
Strike: "access to"
Insert: "availability of"

19. Page 2, line 10.
Following: "coverage"
Strike: ", especially for health care facilities and providers in rural communities"

20. Page 2, line 11.
Following: the first "the"
Strike: "relationship between"
Insert: "factors affecting"
Following: the first "and"
Insert: "health care"

Following: "providers"
Insert: "associated with health care facilities;"

21. Page 2, line 12.
Strike: "potential related tort reform measures;"

22. Page 2, line 13.
Strike: subsection (4) in its entirety
Renumber: subsequent subsection

23. Page 2, line 14 through line 15.
Following: "system" on line 14
Strike: remainder of line 14 through "Panel" on line 15

24. Page 2, line 18.
Following: the first "and"
Insert: "health care"
Following: "providers"
Insert: "associated with health care facilities"

And, as amended, be adopted. Report adopted.

STATE ADMINISTRATION (Cobb, Chairman): 4/11/2003
PRELIMINARY REPORTS
SR 7, be adopted. Report adopted.
SR 8, be adopted. Report adopted.
SR 9, be adopted. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **House Bill 201**
Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 201** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 201** (reference copy -- salmon) be amended as follows:

1. Page 3, line 26.
Strike: "under this section"
Insert: "for a federal write-in absentee ballot"

2. Page 6, line 4.
Strike: ";"
Insert: ". This information is sufficient to meet any identification requirements provided by law for an elector."

3. Page 6, line 7.
Following: "ballot for"
Insert: "that election or for"

For the House:

D. Brown, Chairman
Jent
Wagman

For the Senate:

Sprague, Chairman
Gebhardt
Wheat

CONFERENCE COMMITTEE
on **House Bill 259**
Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered **House Bill 259** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 259** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 6.
Following: "~~BORDER~~"
Insert: "BETWEEN THE CANADIAN BORDER AND REFERENCE MARKER 133 NORTHWEST OF WHITEFISH"

2. Page 1, line 12.
Following: "61-8-310,"
Strike: "AND"

3. Page 1, line 13.
Following: "~~section,~~"
Insert: "and subsection (2) of this section,"

4. Page 1.
Following: line 22
Insert: "(2) The speed limit for vehicles traveling on U.S. highway 93 between reference marker 133 northwest of Whitefish and the Idaho border is 65 miles an hour at all times. The speed limit imposed by this subsection ceases to be effective if U.S. highway 93 is upgraded to a continuous four-lane highway."
Renumber: subsequent subsections

5. Page 1, line 26.
Strike: "SUBSECTION"
Insert: "subsections"
Following: "~~(2)~~"
Insert: "and (2)"

6. Page 2, line 1.
Strike: "SUBSECTION"

Insert: "subsections"
Following: "~~(2)~~"
Insert: "and (2)"

For the House:	For the Senate:
Maedje, Chairman	DePratu, Chairman
Lake	Curtiss
Gallik	Cocchiarella

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 277**
Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 277** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 277** (reference copy -- salmon) be accepted by the House.

For the House:	For the Senate:
Younkin, Chairman	Sprague, Chairman
Haines	Gebhardt
Lindeen	McCarthy

FIRST READING AND COMMITMENT OF BILLS

The following Senate resolution was introduced, read first time, and referred to committee:

SR 10, introduced by Cobb (by request of the Senate State Administration Standing Committee), referred to State Administration.

MOTIONS

HB 649 - Senator Elliott moved **HB 649** be taken from the Fish and Game committee, printed and placed on second reading. Motion **failed** on a voice vote.

SPECIAL ORDERS OF THE DAY

Senator Stapleton introduced the Senate pages, gave a brief overview of their activities and future plans, and thanked them for their work through the week.

A PROCLAMATION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA

WHEREAS, Parkinson's disease, a progressive disorder of the central nervous system, affects more than one million people in the United States; and

WHEREAS, there is treatment to ease the symptoms, but there is not yet a cure; and

WHEREAS, the American Parkinson Disease Association, Inc., founded in 1961, has sought to "Ease the Burden and Find the Cure" for this disease through research, patient and family services, education and sponsorship of 65 chapters, 57 information and referral centers, and 800 support groups throughout the United States; and

WHEREAS, April 11th marks the birthday of Dr. James Parkinson who first recognized the disease now named for him; and

WHEREAS, the world and the nation will observe "Parkinson's Disease Awareness Month" in April 2003;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA: that April 2003 be proclaimed as Parkinson's Disease Awareness Month in the state of Montana.

BOB KEENAN
President of the Senate

DOUG MOOD
Speaker of the House

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 8:30 a.m., Saturday, April 12, 2003. Motion carried.

Senate adjourned at 5:08 p.m.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate

SENATE JOURNAL
58TH LEGISLATURE
SEVENTY-NINTH LEGISLATIVE DAY

Helena, Montana — Senate Chambers
April 12, 2003 — State Capitol

Senate convened at 8:30 a.m. President Keenan presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present except Senator Taylor, excused. Quorum present.

The presiding officer has authenticated the daily journal for the seventy-eighth legislative day.

SPECIAL ORDERS OF THE DAY

Mr. Angelo Bianco of the Military Order of the Purple Heart was escorted to the well of the Senate, where he explained the origin of the Purple Heart medal. He said there were over 5,000 names in Montana that had been added to the Purple Heart roll, and was proud to state that Senator Wheat was a recipient. The Purple Heart is the longest standing medal in the United States Military, and he was proud to present a plaque to the Montana Legislature in honor of HB 250, which recommended a license plate honoring the combat wounded.

REPORTS OF STANDING COMMITTEES

Correctly printed: **SB 491**, **SR 7**, **SR 8**, **SR 9**.
Correctly engrossed: **SB 485**, **SB 489**, **SJR 32**,
Correctly engrossed: **HB 3**, **HB 4**, **HB 11**, **HB 13**, **HB 18**, **HB 42**, **HB 90**, **HB 363**, **HB 559**, **HB 722**, **HB 744**, **HB 767**.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **Senate Bill 57**
Report No. 1, April 11, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 57** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 57** (reference copy -- salmon) be amended as follows:

1. Page 1, line 27.
Strike: "IMPAIRMENT"
Insert: "disorder"

2. Page 1, line 28.
Strike: "DISORDER OR"
Insert: "substantial"

3. Page 1, line 29.
Strike: "AFFLICTED"

For the Senate:

Wheat, Chairman
Keenan
Mangan

For the House:

B. Thomas, Chairman
Gallus
Lange

MESSAGES FROM THE GOVERNOR

April 11, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Senator Keenan:

Please be informed that I have signed **Senate Bill 66** sponsored by Senator Bohlinger, **Senate Bill 77** sponsored by Senator Johnson, **Senate Bill 135** sponsored by Senator F. Thomas, **Senate Bill 145** sponsored by Senator Bohlinger, **Senate Bill 188** sponsored by Senator Cocchiarella et al., **Senate Bill 220** sponsored by Senator F. Thomas et al., and **Senate Bill 249** sponsored by Senator Taylor on April 11, 2003.

Sincerely,

JUDY MARTZ
Governor

April 11, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Keenan and Speaker Mood:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments Senate Bill 101, "**AN ACT ALLOWING THE MONTANA HERITAGE PRESERVATION AND DEVELOPMENT COMMISSION TO USE THE SERVICES OF VOLUNTEERS; REQUIRING WORKERS' COMPENSATION COVERAGE FOR THE VOLUNTEERS; AUTHORIZING REIMBURSEMENT OF CERTAIN EXPENSES OF THE VOLUNTEERS; AUTHORIZING THE COMMISSION TO SELL REAL AND PERSONAL PROPERTY; AUTHORIZING THE COMMISSION TO ESTABLISH TRUST FUNDS; AUTHORIZING THE COMMISSION TO OBTAIN FEDERAL MONEY AND REQUIRING THE DEPOSIT OF THE FEDERAL MONEY INTO THE MONTANA HERITAGE**

PRESERVATION AND DEVELOPMENT ACCOUNT; REQUIRING THE COMMISSION TO ESTABLISH A SUBCOMMITTEE OF COMMISSION MEMBERS AND MEMBERS OF THE MONTANA HISTORICAL SOCIETY BOARD; REQUIRING A MAJORITY VOTE OF THE SUBCOMMITTEE PRIOR TO SELLING PERSONAL PROPERTY FROM THE BOVEY ASSETS; REQUIRING THAT FUNDS RECEIVED FROM THE SALE OF PERSONAL PROPERTY FROM THE BOVEY ASSETS BE DEPOSITED IN A TRUST FUND; TRANSFERRING TITLE OF THE BOVEY ASSETS TO THE STATE OF MONTANA; AMENDING SECTIONS 17-2-102, 22-3-1003, AND 22-3-1004, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE" for the following reasons:

Senate Bill No. 101 authorizes the Montana Heritage Preservation and Development Commission, among other things, to obtain federal money for the purchase of properties in Virginia City and Nevada City and restoration, maintenance and operation of these historic properties. And, generally accepted accounting principles (GAAP) require that funds received from federal sources be deposited in a federal special revenue fund and reported separately from other funds. The amendatory veto language will prevent the possibility of state and federal funds being commingled within the same accounting entity.

For these reasons, I have enclosed the following amendment. Please be advised that the Department of Commerce and the Department of Administration concur with this amendment. Further, please be advised that Senator Mahlum, the sponsor of the bill, has been informed of my recommendation and has no objection.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO **SENATE BILL 101**

1. Title, line 16.
Strike: "17-2-102,"
Following: "22-3-1003"
Strike: ","

2. Page 1, line 21 through page 4, line 9.
Strike: section 1 in its entirety
Renumber: subsequent sections

3. Page 7, line 1.
Following: "fund"
Insert: "and in the federal special revenue fund"

4. Page 7, line 2.
Strike: "Unless otherwise prohibited by federal law or agreement, the"
Insert: "The"

5. Page 7, line 3.
Following: "into the"
Insert: "appropriate"

6. Page 7, line 5.
Strike: "account"
Insert: "accounts"

7. Page 7, line 10.
Strike: "account is"
Insert: "accounts are"

8. Page 7, line 12.
Strike: "account"
Insert: "accounts"

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments:

4/11/2003

SB 271, introduced by Stapleton

Governor's amendments to House bills **concurred in** and transmitted to the Senate for concurrence in the Governor's amendments:

4/11/2003

HB 94, introduced by Lawson
HB 408, introduced by Peterson
HB 441, introduced by Cyr

Senate amendments to House bills **concurred** in: 4/11/2003

HB 152, introduced by Fisher
HB 159, introduced by Haines
HB 199, introduced by Harris
HB 484, introduced by R. Brown
HB 512, introduced by Sinrud
HB 517, introduced by Wilson
HB 538, introduced by Rome
HB 545, introduced by Haines
HB 609, introduced by Windy Boy
HB 640, introduced by Haines
HB 641, introduced by Haines
HB 648, introduced by Younkin
HB 667, introduced by Harris
HB 669, introduced by Younkin
HB 676, introduced by Lindeen
HB 677, introduced by Lindeen
HB 698, introduced by Gillan
HB 733, introduced by Schrumpf
HB 734, introduced by Lawson

Senate amendments to House joint resolutions **concurred** in: 4/11/2003

HJR 4, introduced byLange
HJR 8, introduced by Juneau
HJR 17, introduced by Peterson
HJR 29, introduced by Gallus
HJR 32, introduced by Haines

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Keenan retained the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 211 - **Free Conference Committee Report No. 1** - Senator McGee moved the **Free** Conference Committee report to **HB 211** be adopted. Motion carried unanimously.

Senator McGee assumed the chair.

***SB 340** - **House Amendments** - Senator Grimes moved House amendments to **SB 340** be **not** concurred in. Motion carried unanimously.

HB 713 - Senator Black moved **HB 713** be concurred in. Motion **failed** as follows:

Yeas: Anderson, Barkus, Black, Bohlinger, Butcher, DePratu, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McGee, McNutt, O'Neil, Perry, Schmidt, Sprague, Stapleton, Tash, Thomas, Mr. President.
Total 24

Nays: Bales, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Hansen, Harrington, McCarthy, Nelson, Pease, Roush, Ryan, Shea, Stonington, Story, Tester, Toole, Tropila, Wheat, Zook.
Total 24

Absent or not voting: None.
Total 0

Excused: Squires, Taylor.
Total 2

SB 489 - Senator Elliott moved **SB 489** do pass. Motion carried unanimously.

SB 491 - Senator Stonington moved **SB 491** do pass. Motion carried with Senator O'Neil voting nay.

HB 4 - Senator Zook moved **HB 4** be concurred in. Motion carried unanimously.

HB 7 - Senator Zook moved **HB 7** be concurred in. Motion carried unanimously.

HB 10 - Senator Curtiss moved **HB 10** be concurred in. Motion carried unanimously.

HB 12, requiring 2/3 of each house - Senator Tropila moved **HB 12** be concurred in. Motion carried unanimously.

HB 13 - Senator McCarthy moved **HB 13** be concurred in. Motion carried unanimously.

HB 18 - Senator Laible moved **HB 18** be concurred in. Motion carried unanimously.

*****HB 87** - **Governor's Amendments** - Senator Cobb moved Governor's amendments to **HB 87** be **not** concurred in. Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

HB 185 - **Governor's Amendments** - Senator Anderson moved Governor's amendments to **HB 185** be concurred in. Motion carried unanimously.

HB 283 - **Free Conference Committee Report No. 1** - Senator Sprague moved the **Free** Conference Committee report to **HB 283** be adopted. Motion carried unanimously.

HB 559 - Senator Glaser moved **HB 559**, second reading copy, be amended as follows:

1. Title, page 1, line 16, through line 18.
Strike: "REQUIRING" on line 16 through "PLATES;" on line 18

2. Title, page 1, line 19 through line 20.
Strike: "REVISING" on line 19 through "VEHICLES;" on line 20

3. Title, page 1, line 24.
Strike: "61-3-315,"

4. Title, page 1, line 25.
Strike: "61-3-561, 61-3-562,"

5. Page 2, line 22.
Strike: "BEGINNING IN FISCAL YEAR 2007,"

6. Page 3, line 5.
Strike: "BEGINNING IN FISCAL YEAR 2007,"

7. Page 3, line 25 through line 26.
Strike: "AND" on line 25 through "61-3-321" on line 26

8. Page 4, line 3.
Strike: "BEGINNING IN FISCAL YEAR 2007,"

9. Page 29, line 4 through line 22.
Strike: section 32 in its entirety
Renumber: subsequent sections

10. (Deleted per clerical dated 4/14/03)

11. Page 54, line 17 through page 56, line 19.
Strike: sections 46 and 47 in their entirety
Renumber: subsequent sections

12. Page 57, line 3 through line 5.
Following: "INSTRUCTION." on line 3
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

Amendment **adopted** unanimously.

HB 559 - Senator Stonington moved **HB 559**, second reading copy, be further amended as follows:

1. Page 27, line 17.
Following: "quadricycle"
Insert: "[other than a motorcycle or quadricycle with special license plates issued under section 1 of House Bill No. 767]"

2. Page 31, line 5.
Following: ";"
Insert: "[for a motorcycle or quadricycle with special license plates issued under section 1 of House Bill No. 767 and for a motorcycle or quadricycle under one-time registration, $9.75]"

3. Page 31, line 24.
Following: "$5"
Insert: "[for a motorcycle or quadricycle with special license plates issued under section 1 of House Bill No. 767 and for a motorcycle or quadricycle under one-time registration $5]"

4. Page 51, line 1.
Following: "quadricycles"
Insert: "[that are subject to one-time registration]"

5. Page 52.
Following: line 4

Insert: "[(2) The owner of a motorcycle or quadricycle with special license plates issued under section 1 of House Bill No. 767 shall pay an annual fee based on the age of the motorcycle or quadricycle and the size of the engine, according to the following schedule:

(a) The fee schedule for a motorcycle or quadricycle with an engine that measures from 1 cubic centimeter to 600 cubic centimeters is as follows:

(i) less than 5 years old, $30;

(ii) 5 years old but less than 11 years old, $15; and

(iii) 11 years old and older, $6.

(b) The fee schedule for a motorcycle or quadricycle with an engine that measures from 601 cubic centimeters to 1,000 cubic centimeters is as follows:

(i) less than 5 years old, $55;

(ii) 5 years old but less than 11 years old, $20; and

(iii) 11 years old and older, $6.

(c) The fee schedule for a motorcycle or quadricycle with an engine that measures 1,001 cubic centimeters and larger is as follows:

(i) less than 5 years old, $90;

(ii) 5 years old but less than 11 years old, $50; and

(iii) 11 years old and older, $6.

(3) (a) Except as provided in subsection (3)(b), the age of a motorcycle or quadricycle is determined by subtracting the manufacturer's designated model year from the current calendar year.

(b) If the purchase year of a motorcycle or quadricycle precedes the designated model year of the motorcycle or quadricycle and the motorcycle or quadricycle is originally titled in Montana, then the purchase year is considered the model year for the purposes of calculating the fee in lieu of tax.]"

6. Page 61, line 2.
Insert: "(6) If House Bill No. 767 is not passed and approved, then the bracketed language in the following sections of [this act] is void:

(a) [section 28] amending 61-3-303(6)(a);

(b) [section 34] amending 61-3-321(1)(h) and (3); and

(c) [section 42] amending 61-3-527."

Amendment a**dopted** unanimously.

HB 559 - Senator Glaser moved **HB 559**, as amended, be concurred in. Motion carried unanimously.

HB 748 - Senator Bales moved **HB 748** be concurred in. Motion carried unanimously.

HB 363 - Senator Keenan moved **HB 363**, second reading copy, be amended as follows:

1. Title, line 10.
Strike: "TRANSFERRING"
Insert: "AUTHORIZING THE TRANSFER"

2. Title, line 11.
Following: "FUND"
Insert: "OF"

3. Page 2, lines 22 and 23.
Following: "2004" on line 22

Insert: ","
Strike: remainder of line 22 through "(I)" on line 23

4. Page 2, lines 24 through 26.
Following: "FUND" on line 24
Strike: remainder of line 24 through "1990" on line 26

5. Page 2, line 27.
Following: "2005"
Strike: ","
Insert: ":(i)"

6. Page 2, line 28.
Following: "FUND"
Insert: "; and
(ii) up to $30 million may be transferred to the general fund from the reserves for claims for injuries that occurred before July 1, 1990"

7. Page 3, line 5.
Strike: "(5)(B)(II)"
Insert: "(5)(c)(ii)"

8. Page 3, line 20.
Following: "FUND."
Insert: "The budget director may determine the timing and amount of the transfers authorized in 39-71-2352(5)(c)(ii)."

Amendment **adopted** unanimously.

HB 363 - Senator Keenan moved **HB 363**, as amended, be concurred in. Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Sprague, Stapleton, Story, Tash, Thomas, Zook, Mr. President.
Total 28

Nays: Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Mangan, McCarthy, Nelson, Pease, Roush, Ryan, Schmidt, Shea, Squires, Stonington, Tester, Toole, Tropila, Wheat.
Total 21

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

HB 3 - Senator McCarthy moved **HB 3** be concurred in. Motion carried unanimously.

HB 744 - Senator Stonington moved **HB 744** be concurred in. Motion carried unanimously.

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Keenan in the chair. Chairman McGee moved the Committee of the Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 46, **as amended by the House**, passed as follows:

Yeas: Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 46

Nays: Anderson, Grimes, McGee.
Total 3

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 246, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 247, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy,

McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Thomas, Tropila, Wheat, Zook, Mr. President.
Total 44

Nays: Ellingson, Elliott, Hansen, Tester, Toole.
Total 5

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 337, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Tropila, Zook, Mr. President.
Total 46

Nays: Ellingson, Toole, Wheat.
Total 3

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 348, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 364, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: Cromley.
Total 1

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 366, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Perry, Roush, Shea, Sprague, Stapleton, Story, Tash, Tester, Thomas, Zook, Mr. President.
Total 37

Nays: Cooney, Cromley, Ellingson, Hansen, Pease, Ryan, Schmidt, Squires, Stonington, Toole, Tropila, Wheat.
Total 12

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 370, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 381, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 383, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Butcher, Cocchiarella, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Story, Tash, Tester, Thomas, Tropila, Zook, Mr. President.
Total 40

Nays: Bohlinger, Cobb, Cooney, Cromley, Ellingson, Pease, Stonington, Toole, Wheat.
Total 9

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 386, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Hansen, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Shea, Sprague, Squires, Stapleton, Story, Tash, Thomas, Tropila, Zook, Mr. President.
Total 39

Nays: Cooney, Cromley, Ellingson, Elliott, Harrington, Schmidt, Stonington, Tester, Toole, Wheat.
Total 10

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 387, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 47

Nays: Elliott, Stapleton.
Total 2

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 392, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: Ellingson.
Total 1

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 400, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 402, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 46

Nays: O'Neil, Stapleton, Story.
Total 3

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 406, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 421 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 434, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 442, **as amended by the House**, passed as follows:

Yeas: Barkus, Black, Bohlinger, Cocchiarella, Cooney, Cromley, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 38

Nays: Anderson, Bales, Butcher, Cobb, Curtiss, Esp, Kitzenberg, McGee, O'Neil, Stapleton, Story.
Total 11

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 444, **as amended by the House**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea,

Sprague, Squires, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: Stapleton.
Total 1

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SB 490 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Zook, Mr. President.
Total 47

Nays: Mangan, Wheat.
Total 2

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SJR 22, **as amended by the House**, adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Curtiss, DePratu, Gebhardt, Glaser, Grimes, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McGee, McNutt, O'Neil, Pease, Perry, Roush, Shea, Sprague, Story, Tash, Thomas, Zook, Mr. President.
Total 31

Nays: Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Hansen, McCarthy, Nelson, Ryan, Schmidt, Squires, Stapleton, Stonington, Tester, Toole, Tropila, Wheat.
Total 18

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SJR 29 adopted as follows:

Yeas: Anderson, Barkus, Black, Bohlinger, Butcher, Cobb, Cooney, Cromley, DePratu, Ellingson, Glaser, Grimes,

Hansen, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stonington, Story, Tash, Tester, Toole, Tropila, Wheat, Zook, Mr. President.
Total 38

Nays: Bales, Cocchiarella, Curtiss, Elliott, Esp, Gebhardt, Harrington, McGee, Shea, Stapleton, Thomas.
Total 11

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

SJR 31 adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 47

Nays: Esp, Grimes.
Total 2

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

HB 2, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Butcher, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Zook, Mr. President.
Total 26

Nays: Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Kitzenberg, Mangan, McCarthy, Nelson, Pease, Roush, Ryan, Schmidt, Shea, Squires, Stonington, Tester, Toole, Tropila, Wheat.
Total 24

Paired: Taylor, Aye; Bohlinger, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 452, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Black, Bohlinger, Butcher, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Grimes, Hansen, Harrington, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, O'Neil, Pease, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tash, Tester, Toole, Tropila, Wheat, Zook, Mr. President.
Total 41

Nays: Barkus, Cobb, Glaser, Johnson, McGee, Perry, Stapleton, Thomas.
Total 8

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

HB 539, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: Esp.
Total 1

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

HB 558, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 46

Nays: Bales, Esp, Story.
Total 3

Absent or not voting: None.
Total 0

Excused: Taylor.

Total 1

HB 631 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

HB 721, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, DePratu, Ellingson, Elliott, Gebhardt, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook.
Total 43

Nays: Curtiss, Esp, Glaser, Perry, Stapleton, Mr. President.
Total 6

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

HB 761 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 47

Nays: Esp, O'Neil.
Total 2

Absent or not voting: None.
Total 0

Excused: Taylor.
Total 1

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate: 4/12/2003

SB 89, introduced by Tash
SB 243, introduced by Wheat
SB 454, introduced by Story
SB 458, introduced by McNutt

HB 190 - The House **failed to concur** in Senate amendments to **HB 190,** authorized the Speaker to appoint the following **Conference** Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 190:**

4/12/2003

Representative Younkin, Chair
Representative Hurwitz
Representative Windy Boy

MOTIONS

HB 188 - Senator Thomas moved to suspend the rules to allow the late introduction of a bill to correct an error in **HB 188.** Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Laible, Mahlum, McCarthy, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Schmidt, Sprague, Stapleton, Tash, Tester, Thomas, Toole, Zook, Mr. President.
Total 38

Nays: Elliott, Mangan, McGee, Ryan, Squires, Story, Tropila, Wheat.
Total 8

Absent or not voting: None.
Total 0

Excused: Kitzenberg, Shea, Stonington, Taylor.
Total 4

FREE CONFERENCE COMMITTEES

SB 62 - Senator Thomas moved the President be authorized to appoint a **Free** Conference Committee, and request the House to appoint a like committee to confer on **SB 62**. Motion carried. The President appointed the following members:

Senator Taylor, Chair
Senator Stapleton
Senator Ryan

SB 130 - Senator Thomas moved the President be authorized to appoint a **Free** Conference Committee, and request the House to appoint a like committee to confer on **SB 130**. Motion carried. The President appointed the following members:

Senator McGee, Chair
Senator Barkus
Senator Cooney

SB 360 - Senator Thomas moved the President be authorized to appoint a **Free** Conference Committee, and request the House to appoint a like committee to confer on **SB 360**. Motion carried. The President appointed the following members:

Senator Thomas, Chair
Senator Johnson
Senator Cocchiarella

CONFERENCE COMMITTEES

SB 252 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 252**, and request the House to appoint a like committee to confer on House amendments to **SB 252**. Motion carried. The President appointed the following members:

Senator Butcher, Chair
Senator Stapleton
Senator Squires

SB 330 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 330**, and request the House to appoint a like committee to confer on House amendments to **SB 330**. Motion carried. The President appointed the following members:

Senator Stapleton, Chair
Senator Johnson
Senator Mangan

SB 340 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 340**, and request the House to appoint a like committee to confer on House amendments to **SB 340**. Motion carried. The President appointed the following members:

Senator Grimes, Chair
Senator McGee
Senator Wheat

SB 349 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 349**, and request the House to appoint a like committee to confer on House amendments to **SB 349**. Motion carried. The President appointed the following members:

Senator Anderson, Chair
Senator Mahlum
Senator Cocchiarella

SB 362 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 362**, and request the House to appoint a like committee to confer on House amendments to **SB 362**. Motion carried. The President appointed the following members:

Senator Grimes, Chair
Senator Perry
Senator Mangan

SB 375 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 375**, and request the House to appoint a like committee to confer on House amendments to **SB 375**. Motion carried. The President appointed the following members:

Senator Stapleton, Chair
Senator Perry
Senator Elliott

SB 395 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 395**, and request the House to appoint a like committee to confer on House amendments to **SB 395**. Motion carried. The President appointed the following members:

Senator Perry, Chair
Senator Barkus
Senator Shea

HB 190 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Conference** Committee to meet with a like committee from the House to confer on Senate Amendments to **HB 190**. Motion carried. The President appointed the following members:

Senator Cobb, Chair
Senator Sprague
Senator Squires

HB 424 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Conference** Committee to meet with a like committee from the House to confer on Senate Amendments to HB 424. Motion carried. The President appointed the following members:

Senator Taylor, Chair
Senator Stapleton
Senator Ryan

HB 680 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Conference** Committee to meet with a like committee from the House to confer on Senate Amendments to **HB 680**. Motion carried. The President appointed the following members:

Senator Sprague, Chair
Senator Gebhardt
Senator Wheat

HJR 31 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Conference** Committee to meet with a like committee from the House to confer on Senate Amendments to **HJR 31**. Motion carried. The President appointed the following members:

Senator Esp, Chair
Senator Cobb
Senator Schmidt

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Monday, April 14, 2003. Motion carried.

Senate adjourned at 12 noon.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate

SENATE JOURNAL
58TH LEGISLATURE
EIGHTIETH LEGISLATIVE DAY

Helena, Montana — Senate Chambers
April 14, 2003 — State Capitol

Senate convened at 1:00 p.m. President Keenan presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

The presiding officer has authenticated the daily journal for the seventy-ninth legislative day.

SPECIAL ORDERS OF THE DAY

Home School students from Three Forks, Willow Creek and Cardwell entertained the Senate with several musical selections on their fiddles. The Headwaters Junior Fiddlers have been together for about 4 years and entertain at various functions.

REPORTS OF STANDING COMMITTEES

BILL REPORT
Correctly printed: **SR 10**.
Examined by the sponsor and found to be correct: **SB 34**, **SB 65**, **SB 76**, **SB 80**, **SB 86**, **SB 98**, **SB 105**, **SB 110**, **SB 111**, **SB 113**, **SB 115**, **SB 137**, **SB 143**, **SB 146**, **SB 152**, **SB 159**, **SB 209**, **SB 226**, **SB 284**, **SB 389**, **SB 429**, **SB 432**, **SB 450**.
Signed by the President at 9:00 a.m., April 11, 2003: **SB 34**, **SB 76**, **SB 80**, **SB 86**, **SB 98**, **SB 105**, **SB 110**, **SB 113**, **SB 137**, **SB 143**, **SB 146**, **SB 152**, **SB 159**, **SB 209**, **SB 226**, **SB 284**, **SB 389**, **SB 429**, **SB 432**, **SB 450**.
Signed by the President at 10:00 a.m., April 12, 2003: **SB 65, SB 111, SB 115**.
Signed by the Secretary of the Senate at 10:00 a.m., April 11, 2003: **SB 34**, **SB 76**, **SB 80**, **SB 86**, **SB 98**, **SB 105**, **SB 110**, **SB 113**, **SB 137**, **SB 143**, **SB 146**, **SB 152**, **SB 159**, **SB 209**, **SB 226**, **SB 284**, **SB 389**, **SB 429**, **SB 432**, **SB 450**.
Signed by the Secretary of the Senate at 8:00 a.m., April 14, 2003: **SB 65, SB 111, SB 115**.
Signed by the Speaker at 11:35 a.m., April 11, 2003: **SB 34**, **SB 76**, **SB 80**, **SB 86**, **SB 98**, **SB 105**, **SB 110**, **SB 113**, **SB 137**, **SB 143**, **SB 146**, **SB 152**, **SB 159**, **SB 209**, **SB 226**, **SB 284**, **SB 389**, **SB 429**, **SB 432**, **SB 450**.
Signed by the Speaker at 8:30 a.m., April 14, 2003:**SB 65, SB 111, SB 115**.
Delivered to the Governor for approval at 7:20 a.m., April 14, 2003:**SB 34**, **SB 76**, **SB 80**, **SB 86**, **SB 98**, **SB 105**, **SB 110**, **SB 113**, **SB 137**, **SB 143**, **SB 146**, **SB 152**, **SB 159**, **SB 209**, **SB 226**, **SB 284**, **SB 389**, **SB 429**, **SB 432**, **SB 450**.
Delivered to the Governor for approval at 10:00 a.m., April 14, 2003:**SB 65, SB 111, SB 115**.

LEGISLATIVE ADMINISTRATION (Grimes, Chairman): 4/14/2003
MR. PRESIDENT:
We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 12 noon, Saturday, April 12, 2003:

TITLE	NAME
Pages:	Kacee Tash, Dillon, MT
	Colin Dow, Billings, MT
	Drew Cummings, Lewistown, MT

Matthew Best, Gt. Falls, MT
Breanna Wilson, Missoula, MT
Hannah Jacoby, Bozeman, MT
Joshua York, Polson, MT
Chance Dupuis Polson, MT

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, April 14, 2003:

TITLE	NAME	SPONSOR
Pages:	Halley Montalban, Billings, MT	Senator Bohlinger
	Brad Foster, Townsend, MT	Senator Grimes
	Alexandra Lane, Missoula, MT	Senator Squires
	Heather Stricker, Laurel, MT	Senator McGee
	Hannah Lee, Missoula, MT	Senator Cocchiarella

Report Adopted.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Senator Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator McCarthy in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 42 - Senator Tash moved **HB 42** be concurred in. Motion carried with Senators Cooney and Toole voting nay.

HB 713 - Senator Black moved **HB 713** be concurred in. Motion **failed** as follows:

Yeas: Anderson, Barkus, Black, Bohlinger, Butcher, Curtiss, DePratu, Gebhardt, Glaser, Johnson, Laible, Mahlum, McGee, O'Neil, Perry, Tash, Taylor, Thomas, Tropila.
Total 19

Nays: Bales, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Grimes, Hansen, Harrington, Kitzenberg, Mangan, McCarthy, McNutt, Nelson, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tester, Toole, Wheat, Zook, Mr. President.
Total 29

Absent or not voting: None.
Total 0

Excused: Pease, Stapleton.
Total 2

HB 713 - Senator F. Thomas moved **HB 713** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bales, Barkus, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Gebhardt, Grimes, Hansen,

Harrington, Johnson, Kitzenberg, Laible, McCarthy, McNutt, Nelson, O'Neil, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tester, Toole, Wheat, Zook, Mr. President.
Total 34

Nays: Anderson, Black, Bohlinger, Butcher, Curtiss, DePratu, Glaser, Mahlum, Mangan, McGee, Perry, Tash, Taylor, Thomas, Tropila.
Total 15

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

SB 57 - Free Conference Committee Report No. 1 - Senator Keenan moved the **Free** Conference Committee report to **SB 57** be adopted. Motion carried unanimously.

SB 101 - Governor's Amendments - Senator Mahlum moved Governor's amendments to **SB 101** be concurred in. Motion carried unanimously.

***SB 271 - House Amendments** - Senator Stapleton moved House amendments to **SB 271** be **not** concurred in. Motion carried unanimously.

SJR 18 - House Amendments - Senator Harrington moved House amendments to **SJR 18** be concurred in. Motion carried unanimously.

SJR 32 - Senator Grimes moved **SJR 32** be adopted. Motion carried unanimously.

HJR 2 - Senator Story moved **HJR 2** be concurred in. After discussion, Senator Ellingson moved **HJR 2**, second reading copy, be amended as follows:

1. Page 2, line 14 through line 16.
Strike: "; and" on line 14 through "condition" on line 16

2. Page 2, line 20.
Strike: "$1,241,443,000"
Insert: "$1,228,915,000"
Strike: "$1,296,456,000"
Insert: "$1,283,928,000"

3. Page 3, line 6 through line 8.
Strike: "EXCEPT" on line 6 through "Division." on line 8

4. Page 3, line 15.
Strike: "$556.874"
Insert: "$550.238"
Strike: "$594.339"
Insert: "$587.703"

5. Page 3, line 19.
Strike: "182.196"
Insert: "181.228"
Strike: "192.538"
Insert: "191.570"

6. Page 3, line 21.
Strike: "74.540"
Insert: "75.803"
Strike: "75.581"
Insert: "76.844"

7. Page 4, line 2.
Strike: "64.782"
Insert: "58.315"
Strike: "69.223"
Insert: "62.756"

8. Page 4, line 6.
Strike: "44.755"
Insert: "45.557"
Strike: "45.811"
Insert: "46.613"

9. Page 4, line 16.
Strike: "7.516"
Insert: "8.378"
Strike: "4.625"
Insert: "5.487"

10. Page 4, line 18.
Strike: "14.600"
Insert: "16.960"
Strike: "14.469"
Insert: "16.829"

11. Page 4, line 20.
Strike: "14.060"
Insert: "10.316"
Strike: "17.331"
Insert: "13.587"

12. Page 5, line 20.
Strike: "$1,241.443"
Insert: "$1,228.915"
Strike: "$1,296.456"
Insert: "$1,283.928"

Amendment **not** adopted as follows:

Yeas: Bohlinger, Cobb, Cooney, Cromley, Curtiss, Ellingson, Elliott, Hansen, Johnson, Kitzenberg, Mangan, McCarthy, Nelson, O'Neil, Pease, Roush, Ryan, Schmidt, Sprague, Squires, Toole, Wheat.
Total 22

Nays: Anderson, Bales, Barkus, Black, Butcher, Cocchiarella, DePratu, Esp, Gebhardt, Glaser, Grimes, Harrington, Laible, Mahlum, McGee, McNutt, Perry, Shea, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Tropila, Zook, Mr. President.
Total 28

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HJR 2 - Senator Story's motion that **HJR 2** be concurred passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Butcher, Cobb, Cocchiarella, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, McGee, McNutt, Nelson, Pease, Perry, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Tropila, Zook, Mr. President.
Total 34

Nays: Bohlinger, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Mangan, McCarthy, O'Neil, Roush, Ryan, Schmidt, Shea, Toole, Wheat.
Total 16

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 11 - Senator Tropila moved **HB 11** be concurred in. Motion carried unanimously.

HB 261 - Senator Stapleton moved **HB 261** be concurred in. Motion carried with Senator Taylor voting nay.

HB 722 - Senator Cobb moved **HB 722** be concurred in. Motion carried unanimously.

HB 767 - Senator Stonington moved **HB 767** be concurred in. Motion carried unanimously.

HB 201 - Free Conference Committee Report No. 1 - Senator Sprague moved the **Free** Conference Committee report to **HB 201** be adopted. Motion carried unanimously.

HB 277 - Conference Committee Report No. 1 - Senator Sprague moved the Conference Committee report to **HB 277** be adopted. Motion carried unanimously.

HB 259 -Conference Committee Report No. 1 - Senator DePratu moved the Conference Committee report to **HB 259** be adopted. Motion carried unanimously.

HB 94 - Governor's Amendments - Senator Gebhardt moved Governor's amendments to **HB 94** be concurred in. Motion carried unanimously.

HB 408 - Governor's Amendments - Senator Esp moved Governor's amendments to **HB 408** be concurred in. Motion carried unanimously.

HB 441 - Governor's Amendments - Senator Black moved Governor's amendments to **HB 441** be concurred in. Motion carried unanimously.

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Pro Tempore McNutt in the chair. Chairman McCarthy moved the Committee of the Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 485 passed as follows:

Yeas: Anderson, Bales, Barkus, Bohlinger, Butcher, Cobb, Cocchiarella, Cromley, Curtiss, DePratu, Ellingson, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Tropila, Wheat, Zook.
Total 43

Nays: Black, Cooney, Elliott, Roush, Tester, Toole.
Total 6

Absent or not voting: None.
Total 0

Excused: Mr. President.
Total 1

SB 489 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 491 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: O'Neil.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 3, as amended by the Senate, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 4, as amended by the Senate, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.

Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 7 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 10 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 12, requiring 2/3 of each House, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 13, as amended by the Senate, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cooney, Cromley, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 47

Nays: Cocchiarella, Ellingson, Mangan.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 18, as amended by the Senate, concurred in as follows:

Yeas: Anderson, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook.
Total 46

Nays: Bales, Gebhardt, Stapleton, Mr. President.
Total 4

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 185, **as amended by the Governor**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.

Total 49

Nays: Curtiss.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 211, **as amended by the Free Conference Committee Report No. 1**, adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 283, as amended by the Free Conference Committee Report No. 1, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 744, as amended by the Senate, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan,

McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 748, as amended by the Senate, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Zook, Chairman): 4/14/2003
SB 492, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **Senate Bill 126**
Report No. 1, April 12, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 126** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

1. House Committee on Taxation amendments, third reading copy, dated March 19, 2003.

And, recommend that **Senate Bill 126** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 9.
Following: "EXEMPTION;"
Insert: "CLARIFYING PROPERTY TAX PROVISIONS RELATING TO INSURANCE COMPANIES BY REPEALING SPECIFIC LAWS THAT ARE REDUNDANT WITH GENERAL PROPERTY TAX LAWS;"

2. Title, page 1, line 10.
Following: line 9
Strike: "AND"

3. Title, page 1, line 11.
Following: "1999"
Insert: "; AND REPEALING SECTIONS 15-24-601 AND 15-24-602, MCA"

4. Page 15, line 6.
Insert: "NEW SECTION. **Section 4. Repealer.** Sections 15-24-601 and 15-24-602, MCA, are repealed."
Renumber: subsequent section

For the Senate:	For the House:
Story, Chairman	Devlin, Chairman
Black	Laslovich
Toole	Waitschies

FREE CONFERENCE COMMITTEE
on **House Bill 298**
Report No. 1, April 14, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 298** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 298** (reference copy -- salmon) be amended as follows:

1. Title, line 5.
Following: "~~A FEE~~"
Insert: "FEES"

2. Title, line 6.
Strike: "CERTAIN COSTS OF A REVIEW"
Insert: "AN EXAMINATION"
Strike: "DIVISIONS"
Insert: "A DIVISION"
Following: "LAND"
Insert: "TO DETERMINE WHETHER IT IS"

3. Page 1, line 13.
Strike: "**ACTUAL COSTS**"
Insert: "fees for examination of division"

4. Page 1, line 30 through page 2, line 1.
Strike: "COLLECT" on page 1, line 30 through "76-3-611(2)(A)" on page 2, line 1
Insert: "examine a division of land to determine whether or not the requirements of this chapter apply to the division and may establish reasonable fees, not to exceed $200, for the examination"

5. Page 2, line 5.
Strike: "**ACTUAL COSTS**"
Insert: "fees for examination of division"

6. Page 3, lines 2 and 3.
Strike: "COLLECT" on line 2 through "76-3-611(2)(A)"
Insert: "examine a division of land to determine whether or not the requirements of this chapter apply to the division and may establish reasonable fees, not to exceed $200, for the examination"

For the House:

Younkin, Chairman
Jacobson
Noennig

For the Senate:

Gebhardt, Chairman
McGee
Wheat

FREE CONFERENCE COMMITTEE
on **House Bill 564**
Report No. 1, April 14, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 564** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 564** (reference copy -- salmon) be amended as follows:

1. Page 5, line 27.
Strike: "at least 110% of"

For the House:

McKenney, Chairman
Lange
Lindeen

For the Senate:

Mahlum, Chairman
Anderson
Cocchiarella

MOTIONS

CONFERENCE COMMITTEES

SB 304 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 304**, and request the House to appoint a like committee to confer on House amendments to **SB 304**. Motion carried. The President appointed the following members:

Senator Johnson, Chair
Senator Anderson
Senator Cocchiarella

SB 347 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 347**, and request the House to appoint a like committee to confer on House amendments to **SB 347**. Motion carried. The President appointed the following members:

Senator Esp, Chair
Senator Keenan
Senator Stonington

FREE CONFERENCE COMMITTEES

SB 252 - Senator Thomas moved the Conference Committee on **SB 252** be dissolved and that the President be authorized to appoint a **Free** Conference committee to **SB 252**, and request the House to appoint a like committee to confer on **SB 252**. Motion carried. The President appointed the following members:

Senator Butcher, Chair
Senator Stapleton
Senator Squires

SB 271 - Senator Thomas moved the President be authorized to appoint a **Free** Conference Committee to **SB 271**, and request the House to appoint a like committee to confer on **SB 271**. Motion carried. The President appointed the following members:

Senator Glaser, Chair
Senator Stapleton
Senator Elliott

SB 326 - Senator Thomas moved the **Free** Conference Committee on **SB 326** be dissolved and that the President be authorized to appoint a **Free** Conference committee to **SB 326,** and request the House to appoint a like committee to confer on **SB 326**. Motion carried. The President appointed the following members:

Senator McGee, Chair
Senator Laible
Senator Wheat

HJR 31 - Senator Thomas moved the Senate accede to the request of the House that the Conference Committee on **HJR 31** be dissolved and that the President be authorized to appoint a **Free** Conference committee to **HJR 31**, to meet with a like committee to confer on **HJR 31**. Motion carried. The President appointed the following members:

Senator Esp, Chair
Senator Cobb
Senator Schmidt

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Tuesday, April 15, 2003. Motion carried.

Senate adjourned at 3:49 a.m.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate

SENATE JOURNAL
58TH LEGISLATURE
EIGHTY-FIRST LEGISLATIVE DAY

Helena, Montana — Senate Chambers
April 15, 2003 — State Capitol

Senate convened at 1:00 p.m. President Keenan presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

The presiding officer has authenticated the daily journal for the eightieth legislative day.

REPORTS OF STANDING COMMITTEES

BILL REPORT
Correctly engrossed: **HB 363**, **HB 559**.
Correctly enrolled: **SB 35**, **SB 46**, **SB 89**, **SB 194**, **SB 230**, **SB 232**, **SB 243**, **SB 244**, **SB 246**, **SB 247**, **SB 263**, **SB 270**, **SB 275**, **SB 282**, **SB 288**, **SB 321**, **SB 337**, **SB 344**, **SB 360**, **SB 363**, **SB 364**, **SB 370**, **SB 381**, **SB 383**, **SB 386**, **SB 387**, **SB 392**, **SB 400**, **SB 406**, **SB 423**, **SB 434**, **SB 441**, **SB 442**, **SB 444**, **SB 447**, **SB 458**.
Examined by the sponsor and found to be correct: **SR 4**, **SR 5**.
Signed by the President at 10:00 a.m., April 12, 2003: **SR 4**, **SR 5**.
Signed by the Secretary of the Senate at 8:00 a.m., April 14, 2003: **SR 4**, **SR 5**.
Delivered to the Secretary of State at 9:05 a.m., April 15, 2003: **SR 4**, **SR 5**.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Bales, Chairman): 4/15/2003
SJR 30, introduced joint resolution, be amended as follows:

1. Title, line 6 through 11.
Following: "EXAMINE" on line 6
Strike: remainder of line 6 through line 11

2. Title, line 13.
Following: line 12
Insert: "URGING MONTANA STATE UNIVERSITY TO REPORT RESEARCH RESULTS TO THE LEGISLATURE RELATED TO THE SAFETY OF GENETICALLY ENGINEERED GRAINS AND RELATED ISSUES; URGING THE OFFICE OF ECONOMIC DEVELOPMENT TO EXPLORE AND PROMOTE APPROPRIATE BIOTECHNOLOGY OPPORTUNITIES FOR MONTANA AGRICULTURAL PRODUCERS;"

3. Page 1, line 23.
Strike: "a majority"
Insert: "some"

4. Page 1, line 24.
Following: "markets"
Insert: "; and
WHEREAS, biotechnology holds great promise for the future in fighting grain diseases and in providing new niche markets similar to the present market for organic products; and
WHEREAS, questions continue to be raised about the safety of genetically engineered crops, necessitating scientific research to provide answers to those questions; and
WHEREAS, programs at Montana State University may provide the research not only to address safety, but also

to provide recommendations regarding new genetically engineered grain varieties, the advisability and timing of their release, and the proper handling, production, transportation, marketing, testing, and disposition of new varieties; and

WHEREAS, the Office of Economic Development is an appropriate state agency to explore and promote biotechnology opportunities for Montana producers; and

WHEREAS, the Legislature desires to document credible findings regarding genetically engineered grains"

5. Page 1, line 29 through page 2, line 7.
Following: "examine" on line 29
Strike: remainder of line 29 through "(4)" on page 2, line 7

6. Page 2, line 9 through line 10.
Following: "study" on line 9
Strike: remainder of line 9 through "(1)" on line 10

7. Page 2, line 11.
Following: "representatives of"
Insert: "university and"

8. Page 2, line 12 through line 13.
Following: "entities" on line 12
Strike: remainder of line 12 through "Montana" on line 13

9. Page 2.
Following: line 13
Insert: "BE IT FURTHER RESOLVED, that the scope of the study include a review of any relevant studies from other sources.

BE IT FURTHER RESOLVED, that the study recommend any necessary coordination with applicable federal laws and consider laws of other states that may relate to the introduction of genetically engineered grains in Montana.

BE IT FURTHER RESOLVED, that Montana State University be urged to report to the study committee and to the agriculture committees of the 58th Legislature prior to September 15, 2004, regarding research efforts related to safety, new genetically engineered grain varieties, the advisability and timing of release, and the proper handling, production, transportation, marketing, testing, and disposition of new varieties, as well as any efforts to obtain federal funding to achieve the goals of this resolution for the benefit of Montana producers.

BE IT FURTHER RESOLVED, that the Office of Economic Development be urged to explore and promote appropriate biotechnology opportunities for Montana agricultural producers."

And, as amended, be adopted. Report adopted.

FINANCE AND CLAIMS (Zook, Chairman): 4/15/2003
HB 489, be concurred in. Report adopted.

STATE ADMINISTRATION (Cobb, Chairman): 4/15/2003
SR 7, be adopted. Report adopted.
SR 8, be adopted. Report adopted.
SR 9, be adopted. Report adopted.

PRELIMINARY REPORT
SR 10, be adopted. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **House Joint Resolution 31**
Report No. 1, April 15, 2003

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Joint Resolution 31** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Joint Resolution 31** (reference copy -- salmon) be amended as follows:

1. Page 2, line 7.
Strike: "FOR GOOD CAUSE, ALLOW FOR THE REASONABLE EXTENSION OF"
Insert: "not count against"

2. Page 2, line 8.
Following: "assistance"
Insert: ", but it is not the intent of the Legislature to extend the 5-year limit on TANF assistance"

For the House:	For the Senate:
B. Thomas, Chairman	Esp, Chairman
Facey	Cobb
Stoker	Schmidt

MESSAGES FROM THE GOVERNOR

April 14, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Senator Keenan:

Please be informed that I have signed **Senate Bill 180** sponsored by Senator D. Ryan et al., **Senate Bill 283** sponsored by Senator Wheat, **Senate Bill 302** sponsored by Senator McCarthy et al., **Senate Bill 329** sponsored by Senator Mangan, **Senate Bill 331** sponsored by Senator Squires, and **Senate Bill 409** sponsored by Senator Stapleton et al. on April 14, 2003.

Sincerely,
JUDY MARTZ
Governor

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 4/14/2003

SB 314, introduced by McCarthy
SB 424, introduced by Nelson

Senate amendments to House bill **concurred in**: 4/15/2003

HB 701, introduced by Newman

House joint resolution passed and transmitted to the Senate for concurrence: 4/14/2003

HJR 36, introduced by Pattison

SB 304 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Conference** Committee to meet with a like committee from the Senate to confer on House amendments to **SB 304**: 4/14/2003

Representative Lewis, Chair
Representative Morgan
Representative Wilson

SB 330 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Conference** Committee to meet with a like committee from the Senate to confer on House amendments to **SB 330**: 4/14/2003

Representative Bitney, Chair
Representative Fuchs
Representative B. Ryan

SB 340 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Conference** Committee to meet with a like committee from the Senate to confer on House amendments to **SB 340**: 4/14/2003

Representative Barrett, Chair
Representative Everett
Representative Gutsche

SB 347 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Conference** Committee to meet with a like committee from the Senate to confer on House amendments to **SB 347**: 4/14/2003

Representative E. Clark, Chair
Representative Franklin
Representative Gallus

SB 349 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Conference** Committee to meet with a like committee from the Senate to confer on House amendments to **SB 349**: 4/14/2003

Representative Steinbeisser, Chair
Representative Keane
Representative Rome

SB 362 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Conference** Committee to meet with a like committee from the Senate to confer on House amendments to **SB 362**:

4/14/2003

Representative Shockley, Chair
Representative Parker
Representative Sales

SB 375 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Conference** Committee to meet with a like committee from the Senate to confer on House amendments to **SB 375**:

4/14/2003

Representative Barrett, Chair
Representative Brueggeman
Representative Harris

SB 395 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Conference** Committee to meet with a like committee from the Senate to confer on House amendments to **SB 395**:

4/14/2003

Representative Balyeat, Chair
Representative Golie
Representative Wagman

SB 62 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 62:**

4/14/2003

Representative Laszloffy, Chair
Representative Carney
Representative Mendenhall

SB 130 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 130:**

4/14/2003

Representative Peterson, Chair
Representative Lawson
Representative Matthews

SB 252 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 252:**

4/14/2003

Representative Sinrud, Chair
Representative Gibson
Representative B. Olson

SB 271 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 271:**

4/14/2003

Representative Brueggeman, Chair
Representative Pattison
Representative Wanzenried

SB 326 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 326:**

4/14/2003

Representative Younkin, Chair
Representative Everett
Representative Gillan

SB 360 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 360:**

4/14/2003

Representative McKenney, Chair
Representative Fisher
Representative Wilson

HB 190 - The House dissolved the Conference Committee on Senate amendments to **HB 190**, authorized the Speaker to appoint a **Free** Conference Committee, and request the Senate to appoint a like committee to confer on **HB 190:**

4/14/2003

Representative Younkin, Chair
Representative Hurwitz
Representative Windy Boy

HJR 31 - The House dissolved the Conference Committee on Senate amendments to **HJR 31**, authorized the Speaker to appoint a **Free** Conference Committee, and request the Senate to appoint a like committee to confer on **HJR 31:**

4/14/2003

Representative B. Thomas, Chair
Representative Facey
Representative Stoker

MOTIONS

SB 375 - Senator Thomas moved the Conference Committee to **SB 375** be dissolved and that the President be authorized to appoint a **Free** Conference Committee, and request the House to appoint a like committee to confer on **SB 375.** Motion carried. The President appointed the following members:

Senator Stapleton, Chair
Senator Perry
Senator Elliott

HB 190 - Senator Thomas moved the Conference Committee to **HB 190** be dissolved and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 190**. Motion carried. The President appointed the following members:

Senator Cobb, Chair
Senator Sprague
Senator Squires

SB 349 - Senator Thomas moved the Conference Committee on **SB 349** be dissolved and that the President be authorized to appoint a **Conference** Committee, and request the House to appoint a like committee to confer on the House amendments to **SB 349**. Motion carried. The President appointed the following members:

Senator Anderson, Chair
Senator Grimes
Senator Cocchiarella

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 36, introduced by Pattison, Andersen, Anderson, Bales, Balyeat, Barkus, Barrett, Bitney, Black, Bohlinger, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Butcher, E. Clark, Curtiss, DePratu, Devlin, Dickenson, Esp, Everett, Fisher, Fuchs, Gebhardt, Gillan, Glaser, Golie, Grimes, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Johnson, Kasten, Kaufmann, Keenan, Kitzenberg, Laible, Lake, Lambert, Lange, Lawson, Lehman, Lewis, Lindeen, Maedje, Mahlum, Malcolm, McGee, McNutt, Mendenhall, Mood, Morgan, Nelson, O'Neil, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schmidt, Schrumpf, Sinrud, Sprague, Stapleton, Steinbeisser, Stoker, Story, Tash, Taylor, Tester, B. Thomas, F. Thomas, Tropila, Wagman, Waitschies, Weiss, Witt, Younkin, Zook, referred to Judiciary.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Session 1

Senator Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Grimes in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 492 - Senator Johnson moved **SB 492** do pass. Motion carried unanimously.

SB 126 - **Free Conference Committee Report No. 1** - Senator Story moved the **Free** Conference Committee report to **SB 126** be adopted. Motion carried unanimously.

HB 298 - **Free Conference Committee Report No. 1** - Senator Gebhardt moved the **Free** Conference Committee report to **HB 298** be adopted. Motion carried unanimously.

HB 564 - **Free Conference Committee Report No. 1** - Senator Mahlum moved the **Free** Conference Committee report to **HB 564** be adopted. Motion carried unanimously.

Senator Thomas moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Keenan in the chair. Chairman Glaser moved the Committee of the Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 57, **as amended by the Free Conference Committee Report No. 1**, adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 101, **as amended by the Governor**, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cromley, Curtiss, DePratu, Ellingson, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Tropila, Wheat, Zook, Mr. President.
Total 47

Nays: Cooney, Elliott, Toole.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 18, **as amended by the House**, adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: Esp, McGee.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 32 adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 11, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 42, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cocchiarella, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Tropila, Wheat, Zook, Mr. President.
Total 45

Nays: Cobb, Cooney, Cromley, Schmidt, Toole.
Total 5

Absent or not voting: None.
Total 0

Excused: None.

Total 0

HB 94, **as amended by the Governor**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: Cromley, Esp.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 201, **as amended by the Free Conference Committee Report No. 1**, adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 259, **as amended by the Conference Committee Report No. 1**, adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: Taylor.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 261, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, DePratu, Ellingson, Elliott, Esp, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, O'Neil, Pease, Perry, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 45

Nays: Curtiss, Gebhardt, McGee, Nelson, Roush.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 277, **as amended by the Conference Committee Report No. 1**, adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Cobb, Cocchiarella, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, Pease, Perry, Roush, Shea, Sprague, Squires, Story, Tash, Taylor, Thomas, Tropila, Wheat, Zook, Mr. President.
Total 37

Nays: Butcher, Cooney, Cromley, Ellingson, Elliott, Johnson, O'Neil, Ryan, Schmidt, Stapleton, Stonington, Tester, Toole.
Total 13

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 363, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Curtiss, DePratu, Esp, Gebhardt, Grimes, Johnson, Kitzenberg, Laible, Mahlum, McGee, McNutt, Perry, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Zook, Mr. President.
Total 26

Nays: Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Glaser, Hansen, Harrington, Mangan, McCarthy, Nelson, O'Neil, Pease, Roush, Ryan, Schmidt, Shea, Squires, Stonington, Tester, Toole, Tropila, Wheat.
Total 24

Absent or not voting: None.

Total 0

Excused: None.
Total 0

HB 408, **as amended by the Governor**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: Mangan.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 441, **as amended by the Governor**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 559, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Schmidt, Shea, Sprague, Squires, Stonington, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 45

Nays: Curtiss, Roush, Ryan, Stapleton, Story.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 722, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: Elliott, Mangan.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 767, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HJR 2, **as amended by the Senate**, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Butcher, Cobb, Cocchiarella, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, McGee, McNutt, O'Neil, Pease, Perry, Sprague, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Tropila, Zook, Mr. President.
Total 32

Nays: Black, Bohlinger, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Mangan, McCarthy, Nelson, Roush, Ryan, Schmidt, Shea, Squires, Toole, Wheat.

Total 18

Absent or not voting: None.
Total 0

Excused: None.
Total 0

MOTIONS

HB 363 - Senator Harrington moved he be allowed to change his vote on **HB 363**, third reading this day, from yea to nay. Motion carried.

HB 363 - Senator Squires moved she be allowed to change her vote on **HB 363**, third reading this day, from yea to nay. Motion carried.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **Senate Bill 326**
Report No. 1, April 15, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 326** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 326** (reference copy -- salmon) be amended as follows:

1. Title, line 10.
Following: "~~REQUIRE~~"
Insert: "PROVIDING THAT A GROWTH POLICY MUST INCLUDE REQUIRED ELEMENTS BY OCTOBER 1, 2006, AND"

2. Title, line 13.
Following: "~~AREA;~~"
Insert: "PROVIDING THAT A GROWTH POLICY MAY COVER PART OF A JURISDICTIONAL AREA;"

3. Title, line 17.
Following: ";"
Insert: "CONFORMING PROVISIONS IN THE ZONING AND SUBDIVISION LAWS TO THESE REVISIONS IN THE GROWTH POLICY LAWS; ELIMINATING THE REQUIREMENT THAT SUBDIVISION REGULATIONS BE IN ACCORDANCE WITH THE GOALS AND OBJECTIVES OF THE GROWTH POLICY WITHIN 1 YEAR OF ADOPTION OF A GROWTH POLICY;"

4. Title, line 18.
Strike: "AND"

5. Title, line 19.
Following: "~~76-4-127,~~"
Insert: "76-2-201, 76-2-310, 76-3-210, 76-3-504, 76-3-505, 76-4-122, AND 76-4-127,"

6. Page 3, line 10.
Strike: "The"
Insert: "A"

7. Page 3, line 11.
Strike: "MUST"
Insert: "may"
Following: "~~part~~"
Insert: "or part"

8. Page 3, line 13.
Following: "(2)"
Insert: "A growth policy must include the elements listed in subsection (3) by October 1, 2006."

9. Page 6, line 13.
Following: "policy"
Insert: "pursuant to 76-1-601"

10. Page 6, line 20.
Following: "policy"
Insert: "is not a regulatory document and"

11. Page 6, line 24.
Following: "~~withhold,~~"
Insert: "withhold,"
Following: "~~on~~"
Insert: ", or impose conditions on"

12. Page 6, line 25.
Following: "~~act~~"
Insert: "or other authority to act"

13. Page 6, line 26.
Insert: "Section 8. Section 76-2-201, MCA, is amended to read:

"76-2-201. County zoning authorized. For the purpose of promoting the public health, safety, morals, and general welfare, a board of county commissioners that has adopted a growth policy ~~for the entire jurisdictional area~~ pursuant to chapter 1 is authorized to adopt zoning regulations for all or parts of the jurisdictional area in accordance with the provisions of this part.""
Insert: "Section 9. Section 76-2-310, MCA, is amended to read:

"76-2-310. Extension of municipal zoning and subdivision regulations beyond municipal boundaries. (1) Except as provided in 76-2-312 and except in locations where a county has adopted zoning or subdivision regulations, a city or town council or other legislative body that has adopted a growth policy pursuant to chapter 1 for the area to be affected by the regulations may extend the application of its zoning or subdivision regulations beyond its limits in any direction subject to the following limits:

(a) up to 3 miles beyond the limits of a city of the first class as defined in 7-1-4111;

(b) up to 2 miles beyond the limits of a city of the second class; and

(c) up to 1 mile beyond the limits of a city or town of the third class.

(2) When two or more noncontiguous cities have boundaries so near to one another as to create an area of potential conflict in the event that all cities concerned should exercise the full powers conferred by 76-2-302, 76-2-311, and this section, then the extension of zoning or subdivision regulations, or both, by these cities must terminate at a boundary line agreed upon by the cities.""

Insert: "Section 10. Section 76-3-210, MCA, is amended to read:

"76-3-210. Subdivisions exempted from requirement of an environmental assessment. (1) Subdivisions totally within ~~a jurisdictional~~ an area that ~~has adopted~~ is covered by all of the following are considered to be in the public interest and are exempt from the requirement of an environmental assessment:

(a) a growth policy adopted pursuant to chapter 1;

(b) zoning regulations pursuant to 76-2-201 or chapter 2, part 3; and

(c) a strategy for development, maintenance, and replacement of public infrastructure pursuant to 76-1-601.

(2) (a) A planning board established pursuant to chapter 1 may exempt a proposed subdivision within its jurisdictional area from the requirement for completion of any portion of the environmental assessment if:

(i) the subdivision is proposed in an area for which a growth policy has been adopted pursuant to chapter 1 and the proposed subdivision will be in compliance with the growth policy; or

(ii) the subdivision will contain fewer than 10 parcels and less than 20 acres.

(b) When an exemption is granted under this subsection (2), the planning board shall prepare and certify a written statement of the reasons for granting the exemption. A copy of this statement must accompany the preliminary plat of the subdivision when it is submitted for review.

(c) ~~Where~~ If a properly established planning board having jurisdiction does not exist, the governing body may grant exemptions as specified in this subsection (2).""

Insert: "Section 11. Section 76-3-504, MCA, is amended to read:

"76-3-504. Subdivision regulations -- contents. (1) The subdivision regulations adopted under this chapter must, at a minimum:

(a) except as provided in 76-3-210, 76-3-509, or 76-3-609(3), require the subdivider to submit to the governing body an environmental assessment as prescribed in 76-3-603;

(b) establish procedures consistent with this chapter for the submission and review of subdivision plats;

(c) prescribe the form and contents of preliminary plats and the documents to accompany final plats;

(d) provide for the identification of areas that, because of natural or human-caused hazards, are unsuitable for subdivision development and prohibit subdivisions in these areas unless the hazards can be eliminated or overcome by approved construction techniques;

(e) prohibit subdivisions for building purposes in areas located within the floodway of a flood of 100-year frequency, as defined by Title 76, chapter 5, or determined to be subject to flooding by the governing body;

(f) prescribe standards for:

(i) the design and arrangement of lots, streets, and roads;

(ii) grading and drainage;

(iii) subject to the provisions of 76-3-511, water supply and sewage and solid waste disposal that, at a minimum, meet the regulations adopted by the department of environmental quality under 76-4-104;

(iv) the location and installation of utilities;

(g) provide procedures for the administration of the park and open-space requirements of this chapter;

(h) provide for the review of preliminary plats by affected public utilities and those agencies of local, state, and federal government having a substantial interest in a proposed subdivision. A utility or agency review may not delay the governing body's action on the plat beyond the time limits specified in this chapter, and the failure of any agency to complete a review of a plat may not be a basis for rejection of the plat by the governing body.

(i) when a subdivision creates parcels with lot sizes averaging less than 5 acres, require the subdivider to:

(i) reserve all or a portion of the appropriation water rights owned by the owner of the land to be subdivided and transfer the water rights to a single entity for use by landowners within the subdivision who have a legal right to the

water and reserve and sever any remaining surface water rights from the land;

(ii) if the land to be subdivided is subject to a contract or interest in a public or private entity formed to provide the use of a water right on the subdivision lots, establish a landowner's water use agreement administered through a single entity that specifies administration and the rights and responsibilities of landowners within the subdivision who have a legal right and access to the water; or

(iii) reserve and sever all surface water rights from the land;

(j) except as provided in this subsection, require the subdivider to establish ditch easements in the subdivision that are in locations of appropriate topographic characteristics and sufficient width, to allow the physical placement and unobstructed maintenance of open ditches or belowground pipelines for the delivery of water for irrigation to persons and lands legally entitled to the water under an appropriated water right or permit of an irrigation district or other private or public entity formed to provide for the use of the water right on the subdivision lots; are a sufficient distance from the centerline of the ditch to allow for construction, repair, maintenance, and inspection of the ditch; and prohibit the placement of structures or the planting of vegetation other than grass within the ditch easement without the written permission of the ditch owner. Establishment of easements pursuant to this subsection (1)(j) is not required if:

(i) the average lot size is 1 acre or less and the subdivider provides for disclosure, in a manner acceptable to the governing body, that adequately notifies potential buyers of lots that are classified as irrigated land and may continue to be assessed for irrigation water delivery even though the water may not be deliverable; or

(ii) the water rights are removed or the process has been initiated to remove the water rights from the subdivided land through an appropriate legal or administrative process and if the removal or intended removal is denoted on the preliminary plat. If removal of water rights is not complete upon filing of the final plat, the subdivider shall provide written notification to prospective buyers of the intent to remove the water right and shall document that intent, when applicable, in agreements and legal documents for related sales transactions.

(k) require the subdivider, unless otherwise provided for under separate written agreement or filed easement, to file and record ditch easements for unobstructed use and maintenance of existing water delivery ditches, pipelines, and facilities in the subdivision that are necessary to convey water through the subdivision to lands adjacent to or beyond the subdivision boundaries in quantities and in a manner that are consistent with historic and legal rights;

~~(l) if the governing body has adopted a growth policy pursuant to chapter 1 of this title, be made in accordance with the goals and objectives established in the growth policy that are within the scope of 76-3-501 within 1 year of adoption of the growth policy;~~

~~(m)~~(l) require the subdivider to describe, dimension, and show utility easements in the subdivision on the final plat in their true and correct location. The utility easements must be of sufficient width to allow the physical placement and unobstructed maintenance of utility facilities for the provision of utility services within the subdivision.

(2) In order to accomplish the purposes described in 76-3-501, the subdivision regulations adopted under 76-3-509 and this section may include provisions that are consistent with this section that promote cluster development.""

Insert: "Section 12. Section 76-3-505, MCA, is amended to read:

"76-3-505. Provision for summary review of minor subdivisions. (1) Local subdivision regulations must include procedures for the summary review and approval of subdivision plats containing five or fewer parcels when proper access to all lots is provided, when no land in the subdivision will be dedicated to public use for parks or playgrounds, and when the plats have been approved by the department of environmental quality whenever approval is required by part 1 of chapter 4; however, reasonable local regulations may contain additional requirements for summary approval.

(2) (a) Except when required by local subdivision regulations, proposed subdivisions eligible for summary review under this section that are located entirely within the ~~jurisdictional~~ area covered by a growth policy adopted pursuant to chapter 1 and zoning regulations adopted pursuant to chapter 2, part 2 or 3, are exempt from:

(i) the requirement to hold a hearing on the preliminary plat pursuant to 76-3-605; and

(ii) review by the governing body of the criteria in 76-3-608(3)(a).

(b) The governing body shall approve, conditionally approve, or disapprove a proposed subdivision that is eligible for review under this subsection (2) within 35 days of submission of the subdivision application.""

Insert: "Section 13. Section 76-4-122, MCA, is amended to read:

"76-4-122. Filing or recording of noncomplying plat or certificate of survey prohibited. (1) The county clerk and recorder may not file or record any plat or certificate of survey subject to review under this part showing a subdivision unless it complies with the provisions of this part.

(2) A county clerk and recorder may not accept a subdivision plat or certificate of survey subject to review under this part for filing until one of the following conditions has been met:

(a) the person wishing to file the plat or certificate of survey has obtained approval of the local health officer having jurisdiction and has filed the approval with the reviewing authority and a certificate of subdivision approval has been issued pursuant to 76-4-125 indicating that the reviewing authority has approved the subdivision application and that the subdivision is not subject to a sanitary restriction;

(b) the person wishing to file the plat or certificate of survey has obtained a certificate from the governing body pursuant to 76-4-127 that the subdivision is within ~~a jurisdictional area that has adopted~~ an area covered by a growth policy pursuant to chapter 1 of this title or within a first-class or second-class municipality, as described in 7-1-4111, and will be provided with adequate municipal facilities and adequate storm water drainage; or

(c) the person wishing to file the plat or certificate of survey has placed on the plat or certificate of survey an acknowledged certification that the subdivision is exempt from review under this part. The certification must quote in its entirety the wording of the applicable exemption.""

Insert: "Section 14. Section 76-4-127, MCA, is amended to read:

"76-4-127. Notice of certification that adequate storm water drainage and adequate municipal facilities will be provided. (1) To qualify for the exemption from review set out in 76-4-125(2)(d), the governing body, as defined in 76-3-103, shall, within 20 days after preliminary plat approval under the Montana Subdivision and Platting Act, send notice of certification to the reviewing authority that a subdivision has been submitted for approval and that adequate storm water drainage and adequate municipal facilities will be provided for the subdivision.

(2) The notice of certification must include the following:

(a) the name and address of the applicant;

(b) a copy of the preliminary plat or a final plat when a preliminary plat is not necessary;

(c) the number of proposed parcels in the subdivision;

(d) a copy of any applicable zoning ordinances in effect;

(e) how construction of the sewage disposal and water supply systems or extensions will be financed;

(f) certification that the subdivision is within ~~a jurisdictional area that has adopted~~ an area covered by a growth policy pursuant to chapter 1 of this title or within a first-class or second-class municipality, as described in 7-1-4111, and a copy of the growth policy, when applicable, if one has not yet been submitted to the reviewing authority;

(g) the relative location of the subdivision to the city or town;

(h) certification that adequate municipal facilities for the supply of water and disposal of sewage and solid waste are available or will be provided within 1 year after the notice of certification is issued;

(i) if water supply, sewage disposal, or solid waste facilities are not municipally owned, certification from the facility owners that adequate facilities are available; and

(j) certification that the governing body has reviewed and approved plans to ensure adequate storm water drainage.""

Renumber: subsequent sections

14. Page 11, line 3.
Strike: "(1)"

15. Page 11, line 4 through line 5.
Following: "APPROVED"
Strike: "AND" through "76-1-605"
Strike: "[SECTION 1] OF"
Strike: ", AMENDING" on line 4 through "76-1-605," on line 5

16. Page 11, line 6 through line 7.
Strike: subsection (2) in its entirety

For the Senate:

McGee, Chairman
Laible
Wheat (unsigned)

For the House:

Younkin, Chairman
Everett
Gillan (unsigned)

FREE CONFERENCE COMMITTEE
on **House Bill 197**
Report No. 1, April 15, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 197** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 197** (reference copy -- salmon) be amended as follows:

1. Page 19, line 29.
Following: line 28
Insert: "(7) If House Bill No. 195 and [this act] are both passed and approved, then [section 1 of House Bill No. 195], amending 61-2-302, is void.

(8) If House Bill No. 195 and [this act] are both passed and approved and Senate Bill No. 37 is not passed and approved, then 61-5-208 must read as follows:

Insert: "Section 5. Section 61-5-208, MCA, is amended to read:

"61-5-208. Period of suspension or revocation -- probationary license -- ignition interlock device ~~required~~ allowed on ~~second or subsequent~~ first offense. (1) The department may not suspend or revoke a driver's license or privilege to drive a motor vehicle on the public highways ~~for a period of more than 1 year~~, except as ~~otherwise~~ permitted by law.

(2) (a) Except as provided in 61-2-302, a person whose license or privilege to drive a motor vehicle on the public highways has been suspended or revoked may not have the license, endorsement, or privilege renewed or restored until the revocation or suspension period has been completed.

(b) When a person is convicted or forfeits bail or collateral not vacated for ~~the~~ a first offense of operating or being in actual physical control of a motor vehicle while under the influence of alcohol or any drug or a combination of alcohol or drugs or for ~~the~~ a first offense of operation of a motor vehicle by a person with alcohol concentration of 0.10 or more, the department shall, upon receiving a report of conviction or forfeiture of bail or collateral not vacated, suspend the driver's license or driving privilege of the person for a period of 6 months. Upon receiving a report of a conviction or forfeiture of bail or collateral for a second, third, or subsequent offense within 5 years of the first offense, the department shall ~~revoke~~ suspend the license or driving privilege of the person for a period of 1 year and~~, upon issuance of any restricted~~ may not issue a probationary license during the period of ~~revocation, restrict the person to driving only a motor vehicle equipped with a functioning ignition interlock device~~ suspension. If the 1-year suspension period passes and the person has not completed a chemical dependency education course, treatment, or both, as ordered by the sentencing court, the license ~~revocation~~ suspension remains in effect until the course, treatment, or both, are completed.

(c) For the purposes of subsection (2)(b), a person is considered to have committed a second, third, or subsequent offense if fewer than 5 years have passed between the date of an offense that resulted in a prior conviction and the date of the offense that resulted in the most recent conviction.

(3) (a) If ~~a~~ the person pays the reinstatement fee required in 61-2-107 and provides the department proof of

compliance with an ignition interlock restriction imposed under 61-8-442, the department shall stay the license suspension of a person who has been convicted of a first violation of 61-8-401 or 61-8-406 and return the person's driver's license. The stay must remain in effect until the period of suspension has expired and any required chemical dependency education course, treatment, or both, have been completed.

(b) If the department receives notice from a court, peace officer, or ignition interlock vendor that the person has violated the court-imposed ignition interlock restriction by, including but not limited to operating a motor vehicle not equipped with the device, tampering with the device, or removing the device before the period of restriction has expired, the department shall lift the stay and reinstate the license suspension for the remainder of the time period. The department may not issue a probationary driver's license to a person whose license suspension has been reinstated because of violation of an ignition interlock restriction.

~~(4) The period for all revocations made mandatory by 61-5-205 is 1 year except as provided in subsection (2).~~

~~(5)~~(4) (a) ~~The~~ Except as provided in subsection (4)(b), the period of suspension or revocation for a person convicted of any offense that makes mandatory the suspension or revocation of the person's driver's license commences from the date of conviction or forfeiture of bail.

(b) A suspension commences from the last day of the prior suspension or revocation period if the suspension is for a conviction of driving with a suspended or revoked license.

~~(6)~~(5) If a person is convicted of a violation of 61-8-401 or 61-8-406 while operating a commercial motor vehicle, the department shall suspend the person's driver's license as provided in 61-8-802.""

For the House:	For the Senate:
Noennig, Chairman	Perry, Chairman
B. Thomas (unsigned)	Mangan
Becker	Curtiss

FREE CONFERENCE COMMITTEE
on **House Bill 536**
Report No. 1, April 15, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 536** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 536** (reference copy -- salmon) be amended as follows:

1. Page 1, line 25.
Following: "statement"
Strike: "must"
Insert: "may"

2. Page 1, line 28.
Following: "manager"
Strike: "shall"
Insert: "may"

3. Page 3, line 9.
Following: "AGENT"
Insert: "of either"

4. Page 3, line 22.
Following: "who"
Strike: "complies with subsections"
Insert: "provides the disclosure in subsection"

5. Page 3, line 23.
Following: "and"
Insert: "complies with subsection"

For the House:	For the Senate:
Brueggeman, Chairman	Perry, Chairman
Noennig	Black
P. Clark	Mangan (unsigned)

FREE CONFERENCE COMMITTEE
on **House Bill 689**
Report No. 1, April 15, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 689** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 689** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 7.
Following: "~~INFLATION~~"
Insert: "REVISING DEFINITIONS; REVISING REPORTING REQUIREMENTS; PROVIDING FOR ADJUSTMENT OF REPORTING THRESHOLD AMOUNTS FOR INFLATION;"
Following: "~~5-7-102,~~"
Insert: "5-7-102,"

2. Title, page 1, line 8.
Following: ";"
Insert: ", 5-7-105,"

3. Title, page 1, line 9.
Following: "~~DATE~~"
Insert: "AND A RETROACTIVE APPLICABILITY DATE"

4. Page 4, line 13.
Insert: "Section 1. Section 5-7-102, MCA, is amended to read:

"5-7-102. Definitions. The following definitions apply in this chapter:

(1) "Business" means:

(a) a holding or interest whose fair market value is greater than $1,000, in a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, self-employed person, holding company, joint-stock company, receivership, trust, or other entity or property held in anticipation of profit, but does not include nonprofit organizations; and

(b) present or past employment from which benefits, including retirement allowances, are received.

(2) "Commissioner" means the commissioner of political practices.

(3) "Docket" means the register of lobbyists and principals maintained by the commissioner pursuant to 5-7-201.

(4) "Elected official" means a public official holding a state office filled by a statewide vote of all the electors of Montana or a state district office, including but not limited to legislators, public service commissioners, and district court judges. The term "official-elect" also applies to the offices.

(5) "Individual" means a human being.

(6) "Lobbying" means:

(a) the practice of promoting or opposing the introduction or enactment of legislation before the legislature or the members of the legislature by a person other than a member of the legislature or a public official; and

(b) the practice of promoting or opposing official action by any public official.

~~(7) "Lobbying for hire" includes activities of the officers, agents, attorneys, or employees of a principal who are paid, reimbursed, or retained by the principal and whose duties include lobbying. If an individual is reimbursed only for his personal living and travel expenses, which together are less than $1,000 per calendar year, that individual is not considered to be lobbying for hire.~~

~~(8)~~(7) (a) "Lobbyist" means a person who engages in the practice of lobbying ~~for hire~~.

(b) Lobbyist does not include:

(i) an individual acting solely on ~~his~~ the individual's own behalf; ~~or~~

(ii) an individual working for the same principal as a licensed lobbyist if the individual does not have personal contact involving lobbying with a public official on behalf of ~~his~~ the lobbyist's principal; or

(iii) an individual who receives payments from one or more persons that total less than the amount specified under [section 5] in a calendar year.

(c) Nothing in this ~~section~~ chapter deprives an individual who is not ~~lobbying for hire~~ a lobbyist of the constitutional right to communicate with public officials.

~~(9)~~(8) (a) "Payment" means distribution, transfer, loan, advance, deposit, gift, or other rendering made or to be made of money, property, or anything of value:

(i) to a lobbyist to influence legislation or official action by an elected local official or a public official;

(ii) directly or indirectly~~:~~

~~(10) "Payment to influence official action" means any of the following types of payment:~~

~~(a) direct or indirect payment~~ to a lobbyist by a principal, such as salary, fee, compensation, or reimbursement for lobbying expenses~~, excluding personal living expenses~~; or

~~(b)~~(iii) ~~payment~~ in support of or assistance to a lobbyist or a lobbying activity, including but not limited to the direct payment of expenses incurred at the request or suggestion of the lobbyist.

(b) The term does not include payments or reimbursements for:

(i) personal and necessary living expenses; or

(ii) travel expenses, unless a principal is otherwise required to report expenses pursuant to 5-7-208.

~~(11)~~(9) "Person" means an individual, corporation, association, firm, partnership, state or local government or subdivision of state or local government, or other organization or group of persons.

~~(12)~~(10) "Principal" means a person who employs a lobbyist or a person required to report pursuant to 5-7-208.

~~(13)~~(11) "Public official" means an individual, elected or appointed, acting in ~~his~~ an official capacity for ~~the~~ state government. The term does not include those acting in a judicial or quasi-judicial capacity or performing ministerial acts.

~~(14)~~(12) "Unprofessional conduct" means:

(a) violating any of the provisions of this chapter;

(b) instigating action by a public official for the purpose of obtaining employment;

(c) attempting to influence the action of a public official on a measure pending or to be proposed by:

(i) promising financial support; or

(ii) making public any unsubstantiated charges of improper conduct on the part of a lobbyist, a principal, or a legislator; or

(d) attempting to knowingly deceive a public official with regard to the pertinent facts of an official matter or

attempting to knowingly misrepresent pertinent facts of an official matter to a public official.""
Renumber: subsequent sections

5. Page 4, line 26.
Strike: "20"
Insert: "10"

6. Page 5, line 3.
Strike: "$2,150"
Insert: "the amount specified under [section 5]"

7. Page 5, line 8.
Insert: "Section 3. Section 5-7-105, MCA, is amended to read:

"5-7-105. Suspension of lobbying privileges. ~~No~~ A lobbyist whose license has been suspended and ~~no~~ a person who has been adjudged guilty of a violation of any provision of this chapter may not engage in lobbying ~~for hire~~ until that person has been reinstated to the practice and duly licensed.""
Renumber: subsequent sections

8. Page 5, lines 12 and 13.
Strike: "A TOTAL OF $2,150"
Insert: "the amount specified under [section 5]"

9. Page 7, line 4.
Insert: "NEW SECTION. **Section 5. Payment threshold -- inflation adjustment.** For calendar years 2002 through 2004, the payment threshold in 5-7-102 and 5-7-208 is $2,150. The commissioner shall adjust the threshold amount following a general election by multiplying the threshold amount valid for the year in which the general election was held by an inflation factor, adopted by the commissioner by rule. The rule must be written to reflect the annual average change in the consumer price index from the prior year to the year in which the general election is held. The resulting figure must be rounded up or down to the nearest $50 increment. The commissioner shall adopt the adjusted amount by rule."
Renumber: subsequent sections

10. Page 7, line 10.
Following: "approved"
Insert: ": (1) and amend 5-7-102, then 5-7-102(13)(c) of Senate Bill No. 7 must read:

"Nothing in this chapter deprives an individual who is not a lobbyist of the constitutional right to communicate with public officials."

(2) and amend 5-7-103"

11. Page 7, line 14.

"NEW SECTION. **Section 8. Codification instruction.** [Section 5] is intended to be codified as an integral part of Title 5, chapter 7, part 1, and the provisions of Title 5, chapter 7, part 1, apply to [section 5].

12. Page 7.
Following: line 22
Insert: "NEW SECTION. **Section 11. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to all occurrences concerning filing or reporting on or after September 1, 2002. This section may not be construed to require a refund of any fee paid on or after September 1, 2002."

For the House:	For the Senate:
A. Olson, Chairman	Gebhardt, Chairman
Brueggeman	McNutt
Ballantyne	Squires

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 680**
Report No. 1, April 15, 2003

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 680** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 680** (reference copy -- salmon) be amended as follows:

1. Page 3, line 14 through line 15.
Strike: "ANY FEE" on line 14 through "SUBSECTION (2)" on line 15
Insert: "(a) Of the fees collected under subsection (1), $1 must be deposited in the records preservation fund, provided for in 7-4-2635, and the remainder must be deposited as provided for in 7-4-2511.

(b) Of the fees collected under subsection (2) for nonstandard documents, each $6 amount for a page or fraction of a page must be deposited as provided for in subsection (3)(a). The remaining $4 of each $10 charge for a page or fraction of a page must be deposited in the records preservation fund, provided for in 7-4-2635, and, notwithstanding 7-4-2635(3), each $4 amount from a $10 charge for a page or a fraction of a page"

For the House:	For the Senate:
Noennig, Chairman	Sprague, Chairman
Younkin	Gebhardt
Becker	Wheat

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

Majority Leader Thomas moved the Senate stand in recess until the hour of 5:30 p.m. this day. Motion carried.

Senate recessed at 1:57 p.m.
Senate reconvened at 5:33 p.m.

Roll call. All members present except Senators Stonington and Tropila, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Zook, Chairman): 4/15/2003
SB 483, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Following: "ANALYSIS;"
Strike: "PROVIDING" on line 7 through "ANALYSIS;" on line 8
Insert: "REQUIRING THE STATE TREASURER TO PROVIDE INFORMATION ON THE STATE WEBSITE ON HOW TO DONATE FUNDS TO ANY STATE FUNCTION;"

2. Title, line 8.
Strike: "90"
Insert: "95"

3. Title, line 11.
Following: "SECTIONS"
Strike: "15-12-302,"
Insert: "17-1-111,"

4. Title, line 12.
Following: "17-7-102,"
Insert: "17-7-111,"

5. Page 1, line 16 through page 2, line 20.
Strike: section 1 in its entirety
Insert: **"Section 1.** Section 17-1-111, MCA, is amended to read:

"17-1-111. General fiscal duties of state treasurer. (1) The state treasurer is the custodian of all money and securities of the state unless otherwise expressly provided by law.

(2) It is the duty of the state treasurer to:

(a) receive and account for all money belonging to the state, not expressly required by law to be received and kept by some other person;

(b) pay warrants out of the funds upon which they are drawn;

(c) upon payment of any warrant, record the receipt of the person to whom it is paid;

(d) keep an account of all money received and disbursed;

(e) at the request of either house of the legislature or of any legislative committee, give information in writing as to the condition of the treasury or on any subject relating to the duties of the office of state treasurer;

(f) superintend the fiscal concerns of the state;

(g) suggest plans for the improvement and management of the public revenue;

(h) keep an account of all warrants drawn upon the treasury and of other appropriation records that the treasurer determines to be essential for the support of the accounting records maintained in the department;

(i) keep a register of warrants, showing the fund upon which each warrant is drawn, each warrant's number, who received the warrant, and the date issued;

(j) require all persons who have received money belonging to the state but who have not accounted for it to settle their accounts;

(k) draw warrants on the state treasury for the payment of money directed by law to be paid out of the treasury, except that a warrant may not be drawn unless authorized by law;

(l) authenticate with the official seal of the state all warrants drawn and all copies of papers issued from the office of state treasurer;

(m) collect and pay into the state treasury all fees received; and

(n) discharge other duties as may be imposed upon the state treasurer by law; and

(o) provide information through the state's official internet website detailing how donations can be made to the state general fund or to any function of state government."
Renumber: subsequent sections

6. Page 3, line 9.
Strike: "90%"
Insert: "95%"

7. Page 4.
Following: line 10
Insert: "Section 3. Section 17-7-111, MCA, is amended to read:

"17-7-111. Preparation of state budget -- agency program budgets -- form distribution and contents. (1) (a) To prepare a state budget, the executive branch, the legislature, and the citizens of the state need information that is consistent and accurate. Necessary information includes detailed disbursements by fund type for each agency and program for the appropriate time period, recommendations for creating a balanced budget, and recommended disbursements and estimated receipts by fund type and fund category.

(b) Subject to the requirements of this chapter, the budget director and the legislative fiscal analyst shall by agreement:

(i) establish necessary standards, formats, and other matters necessary to share information between the agencies and to ensure that information is consistent and accurate for the preparation of the state's budget; and

(ii) provide for the collection and provision of budgetary and financial information that is in addition to or different from the information otherwise required to be provided pursuant to this section.

(2) In the preparation of a state budget, the budget director shall, not later than the date specified in 17-7-112(1), distribute to all agencies the proper forms and instructions necessary for the preparation of budget estimates by the budget director. These forms must be prescribed by the budget director to procure the information required by subsection (3). The forms must be submitted to the budget director by the date provided in 17-7-112(2)(a) or the agency's budget is subject to preparation based upon estimates as provided in 17-7-112(5). The budget director may refuse to accept forms that do not comply with the provisions of this section or the instructions given for completing the forms.

(3) The agency budget request must set forth a balanced financial plan for the agency completing the forms for each fiscal year of the ensuing biennium. The plan must consist of:

(a) a consolidated agency budget summary of funds subject to appropriation or enterprise funds that transfer profits to the general fund or to an account subject to appropriation for the current base budget expenditures, including statutory appropriations, and for each present law adjustment and new proposal request setting forth the aggregate figures of the full-time equivalent personnel positions (FTE) and the budget, showing a balance between the total proposed disbursements and the total anticipated receipts, together with the other means of financing the budget for each fiscal year of the ensuing biennium, contrasted with the corresponding figures for the last completed fiscal year and the fiscal year in progress;

(b) a schedule of the actual and projected receipts, disbursements, and solvency of each fund for the current biennium and estimated for the subsequent biennium;

(c) a statement of the agency mission and a statement of goals and objectives for each program of the agency. The goals and objectives must include, in a concise form, sufficient specific information and quantifiable information to enable the legislature to formulate an appropriations policy regarding the agency and its programs and to allow a determination, at some future date, on whether the agency has succeeded in attaining its goals and objectives.

(d) actual FTE and disbursements for the completed fiscal year of the current biennium, estimated FTE and disbursements for the current fiscal year, and the agency's request for the ensuing biennium, by program;

(e) actual disbursements for the completed fiscal year of the current biennium, estimated disbursements for the current fiscal year, and the agency's recommendations for the ensuing biennium, by disbursement category;

~~(f) for only agencies with more than 20 FTE, a plan to reduce the proposed base budget for the general appropriations act and the proposed state pay plan to 95% of the current base budget or lower if directed by the budget director. Each agency plan must include base budget reductions that reflect the required percentage reduction by fund type for the general fund and state special revenue fund types. The plan must include:~~

~~(i) a prioritized list of services that would be eliminated or reduced;~~

~~(ii) for each service included in the prioritized list, the savings that would result from the elimination or~~

~~reduction; and~~

~~(iii) the consequences or impacts of the proposed elimination or reduction of each service.~~

~~(g)~~(f) a reference for each new information technology proposal stating whether the new proposal is included in the approved agency information technology plan as required in 2-17-523; and

~~(h)~~(g) other information the budget director feels is necessary for the preparation of a budget.

(4) The budget director shall prepare and submit to the legislative fiscal analyst in accordance with 17-7-112:

(a) detailed recommendations for the state long-range building program. Each recommendation must be presented by institution, agency, or branch, by funding source, with a description of each proposed project.

(b) a statewide summary of recommendations for information technology projects and new initiatives. Each recommendation must be presented by institution, agency, or branch and by funding source, and recommendations for major new information technology projects must contain the information identified in 2-17-526.

(c) the proposed pay plan schedule for all executive branch employees at the program level by fund, with the specific cost and funding recommendations for each agency. Submission of a pay plan schedule under this subsection is not an unfair labor practice under 39-31-401.

(d) agency proposals for the use of cultural and aesthetic project grants under Title 22, chapter 2, part 3, the renewable resource grant and loan program under Title 85, chapter 1, part 6, the reclamation and development grants program under Title 90, chapter 2, part 11, and the treasure state endowment program under Title 90, chapter 6, part 7.

(5) The board of regents shall submit, with its budget request for each university unit in accordance with 17-7-112, a report on the university system bonded indebtedness and related finances as provided in this subsection (5). The report must include the following information for each year of the biennium, contrasted with the same information for the last completed fiscal year and the fiscal year in progress:

(a) a schedule of estimated total bonded indebtedness for each university unit by bond indenture;

(b) a schedule of estimated revenue, expenditures, and fund balances by fiscal year for each outstanding bond indenture, clearly delineating the accounts relating to each indenture and the minimum legal funding requirements for each bond indenture; and

(c) a schedule showing the total funds available from each bond indenture and its associated accounts, with a list of commitments and planned expenditures from such accounts, itemized by revenue source and project for each year of the current and ensuing bienniums.

(6) The budget director may not obtain copies of individual income tax records protected under 15-30-303. The department of revenue shall make individual income tax data available by removing names, addresses, occupations, social security numbers, and taxpayer identification numbers. The department of revenue may not alter the data in any other way. The data is subject to the same restrictions on disclosure as are individual income tax returns.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 206, be amended as follows:

1. Page 3, line 11.
Strike: "$6"
Insert: "$5"

2. Page 4, line 1.
Strike: "32.6%"
Insert: "22.3%"
Strike: "22.46%"
Insert: "25%"

3. Page 4, line 16.
Strike: "17.5%"
Insert: "20.7%"
Strike: "4.31%"
Insert: "8.75%"

4. Page 4, line 19.
Strike: "47.40%"
Insert: "54.5%"
Strike: "69.48%"
Insert: "62.5%"

And, as amended, be concurred in. Report adopted.

HB 705, be concurred in. Report adopted.
HB 727, be amended as follows:

1. Page 5, line 2.
Following: "date."
Insert: "When the department contracts for additional group homes for the developmentally disabled, the department shall give priority to providing those homes in a community in eastern Montana in which a residential facility has been closed. It is the intent of the legislature that the department of public health and human services have access to the personal services contingency funds in House Bill No. 13 in order to address any severance pay and costs for reduction in force associated with the closure of Eastmont human services center."

And, as amended, be concurred in. Report adopted.

HB 735, be concurred in. Report adopted.
HB 736, be amended as follows:
1. Page 2.
Following: line 18
Insert: "(b) appoint a representative from the juvenile corrections division of the department of corrections to serve on the renewal commission;"
Renumber: subsequent subsections

2. Page 2.
Following: line 27
Insert: "(6) As used in this section, the term "K-12 public education" includes a state youth correctional facility, as defined in 41-5-103."

And, as amended, be concurred in. Report adopted.

HB 741, be concurred in. Report adopted.
HB 743, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **House Bill 509**

Report No. 1, April 15, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 509** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 509** (reference copy -- salmon) be amended as follows:

1. Page 15, line 25.
Strike: "90" through "ACT]"
Insert: "December 31, 2003"

2. Page 17, line 6.
Strike: "customer choice"
Insert: "transition"

For the House:

A. Olson, Chairman
Mendenhall
Matthews

For the Senate:

Johnson, Chairman
F. Thomas
McCarthy

MESSAGES FROM THE GOVERNOR

April 15, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Senator Keenan:

Please be informed that I have signed **Senate Bill 13** sponsored by Senator Mahlum, **Senate Bill 34** sponsored by Senator Barkus, **Senate Bill 80** sponsored by Senator Laible, **Senate Bill 86** sponsored by Senator Zook, **Senate Bill 166** sponsored by Senator Bales et al., **Senate Bill 168** sponsored by Senator Stonington et al., **Senate Bill 241** sponsored by Senator Shea, **Senate Bill 262** sponsored by Senator Perry et al., **Senate Bill 315** sponsored by Senator Schmidt et al., **Senate Bill 316** sponsored by Senator Grimes, **Senate Bill 341** sponsored by Senator F. Thomas, **Senate Bill 380** sponsored by Senator Bales, **Senate Bill 432** sponsored by Senator Grimes, and **Senate Bill 460** sponsored by Senator Story on April 15, 2003.

Sincerely,
JUDY MARTZ
Governor

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments:

4/15/2003

SB 138, introduced by Cobb
SB 320, introduced by Tester
SB 336, introduced by Mahlum
SB 407, introduced by DePratu

Senate bill concurred in and returned to the Senate: 4/15/2003

SB 155, introduced by Taylor

Senate bill not concurred in and returned to the Senate: 4/14/2003

SB 287, introduced by Sprague

HB 2 - The House failed to concur in Senate amendments to **HB 2,** authorized the Speaker to appoint the following **Free** Conference Committee, and requested that the Senate appoint a like committee to confer on **HB 2:**

4/15/2003

Representative Lewis, Chair
Representative Lindeen
Representative Pattison

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Session 2

Senator Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Glaser in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

*****SB 314 - House Amendments** - Senator McCarthy moved House amendments to **SB 314** be **not** concurred in. Motion carried unanimously.

SB 326 - Free Conference Committee Report No. 1 - Senator McGee moved the Free Conference Committee report to **SB 326** be adopted. Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Curtiss, DePratu, Esp, Gebhardt, Glaser, Laible, Mahlum, McGee, McNutt, Nelson, O'Neil, Perry, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Zook, Mr. President.
Total 27

Nays: Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Grimes, Hansen, Harrington, Kitzenberg, Mangan, McCarthy, Pease, Roush, Ryan, Schmidt, Shea, Squires, Tester, Toole, Wheat.
Total 20

Absent or not voting: None.
Total 0

Excused: Johnson, Stonington, Tropila.
Total 3

*****SB 424 - House Amendments** - Senator Nelson moved House amendments to **SB 424** be **not** concurred in. Motion carried unanimously.

HB 197 - Free Conference Committee Report No. 1 - Senator Perry moved the Free Conference Committee report to **HB 197** be adopted. Motion carried unanimously.

HB 536 - Free Conference Committee Report No. 1 - Senator Perry moved the Free Conference Committee report to **HB 536** be adopted. Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Curtiss, DePratu, Gebhardt, Glaser, Grimes, Johnson, Laible, Mahlum, McGee, McNutt, Nelson, O'Neil, Perry, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Zook, Mr. President.
Total 27

Nays: Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Hansen, Harrington, Kitzenberg, Mangan, McCarthy, Pease, Roush, Ryan, Schmidt, Squires, Tester, Toole, Wheat.
Total 20

Absent or not voting: None.
Total 0

Excused: Shea, Stonington, Tropila.
Total 3

HB 680 - Conference Committee Report No. 1 - Senator Sprague moved the Conference Committee report to **HB 680** be adopted. Motion carried unanimously.

HB 689 - Free Conference Committee Report No. 1 - Senator Gebhardt moved the Free Conference Committee report to **HB 689** be adopted. Motion carried with Senators Cobb and Taylor voting nay.

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Keenan in the chair. Chairman Glaser moved the Committee of the Whole report be adopted. Report adopted unanimously.

MOTIONS

HB 2 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 2**. Motion carried. The President appointed the following members:

Senator Zook, Chair
Senator Keenan
Senator Nelson

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Wednesday, April 16, 2003. Motion carried.

Senate adjourned at 6:10 p.m.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate